



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 6, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**

ZONING CASE Z-2022-10700187 CD

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 6, 2022. This item was continued from the August 16, 2022 hearing.

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** Ralph Davila Sifuentes

**Applicant:** Juan Lopez

**Representative:** Juan Lopez

**Location:** 515 Westbend Drive

**Legal Description:** Lot 4, Block 2, NCB 15406

**Total Acreage:** 0.1148

**Notices Mailed**

**Owners of Property within 200 feet:** 24

**Registered Neighborhood Associations within 200 feet:** NA

**Applicable Agencies:** Lackland Airfield Base

**Property Details**

**Property History:** The subject property is currently zoned “R-6 MLOD-2 MLR-1 AHOD” Residential Single-Family MLOD-2 MLR-2 Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District. The subject property was annexed into the City of San Antonio on December 25, 1972, by Ordinance 41422, and originally zoned Temporary “R-1” Single-Family Residential District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned Temporary “R-1” Single-Family Residential District converted to the current “R-6” Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential Dwelling

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** “R-6”

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** School

**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

The "MLOD-2" Lackland Military Lighting Overlay District does not restrict permitted uses but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Westbend Drive

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 612

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking for multi-family dwellings is 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The “CD” Conditional Use would permit two residential dwelling units on the property.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located within a Regional Center but is within a ½ mile of the Fredericksburg Premium Transit Corridor and the Zarzamora Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the West/Southwest Sector Plan and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “R-6 CD” base zoning district is consistent with the future land use designation.

2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. The property is within a neighborhood comprised entirely of single-family residential zoning and uses.
3. **Suitability as Presently Zoned:** The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” Residential Single-Family District with a Conditional Use for two (2) dwelling units is not appropriate for the property. The property is not located within the block face and is out of character with the density of the neighborhood. Additionally, residential properties are permitted an accessory dwelling unit (ADU) by right as long as the property owner resides on the property.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does not appear to conflict with any public policy objectives of the West/Southwest Sector Plan:
  - Goal HOU-1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
  - Goal HOU-3: Housing is well maintained to help ensure the long-term viability of neighborhoods
6. **Size of Tract:** The subject property is 0.1148 acres, which can not reasonably accommodate a multi-family residential development.
7. **Other Factors:** The applicant intends to rezone to “R-6 CD” to allow for a duplex on the property. The applicant is proposing an attached unit to the current structure and wants to obtain a second meter for the unit.

A parking variance will also be required to satisfy the requirement for the third required parking space.

The purpose of the Conditional Use is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The subject property is located within the Lackland Airfield Base Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.