



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 20, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

**ZONING CASE Z-2022-10700218**

**SUMMARY:**

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

**Requested Zoning:** “RM-5 MLOD-2 MLR-2 AHOD” Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 20, 2022

**Case Manager:** Mark Chavez, Planner

**Property Owner:** Leonard Jaramillo

**Applicant:** Leonard Jaramillo

**Representative:** Jonathan Duque

**Location:** 330 West Baetz Boulevard

**Legal Description:** the east 100 feet of Lot 174, NCB 11110

**Total Acreage:** 0.8264

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property was annexed by Ordinance 18115 dated September 24, 1952, and originally zoned "B" Residence District. The property was then rezoned by Ordinance 66677 dated February 25, 1988, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Local Retail 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 floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** RM-4

**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:** R-6

**Current Land Uses:** Residential Dwelling

**Overlay District Information:**

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. The "MLOD-2" does not restrict permitted uses but does regulate outdoor lighting to minimize night-time light pollution and its effects on operations at the military installation.

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

**Transportation**

**Thoroughfare:** West Baetz Boulevard

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance.

**Routes Served:** 44, 43 & 243

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for a 3-Family Dwelling is 1.5 spaces per unit and the maximum being 2 spaces per unit. At 3 units, that is a minimum of 4.5 spaces, and maximum of 6 spaces.

**Proximity To Regional Center/Premium Transit Corridor:**

Subject property is not located within the Regional Center and or within ½ a mile of the Premium Transit Corridor.

**ISSUE:**

None

**ALTERNATIVES:**

Existing: “R-6” Residential Single-Family allows dwellings (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: “RM-5” Residential Mixed District allows single-family dwellings (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 5,000 square feet and a minimum lot width of 15 feet, public and private schools.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

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

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

**1. Consistency:** The subject property is located within the West/Southwest Sector Plan and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “RM-5” base zoning district is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. Many of the properties carry the “R-6” Residential Single-Family zoning designation but are comprised of homes and accessory dwellings and structures. The lots in the area are also very deep and zoning in the area is varied types of “RM-4” Residential Mixed and “R-6 CD” Residential Single-Family with Conditional Use for additional housing units.

**3. Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family is an appropriate an appropriate zoning for the property and surrounding area. The “RM-5” is also an appropriate zoning for the property and the surrounding area. The surrounding area has a mix of “RM-4” and various properties with conditional uses for multiple units. The maximum number of units allowed in “RM-5” is three (3) units. The applicant has submitted an outright zoning request, rather than utilizing the Conditional Use zoning in order to mitigate the cost of submitting a site plan. Ultimately, the proposed “RM-5” Residential Mixed District gets the applicant to the same outcome as a Conditional Use request.

**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.

**Relevant Goals and Policies of the West\ Southwest Sector Plan:**

- HOU-1.3- Preserve rural homesteads as part of the mix of housing choices
- HOU-3.1: Re-Invest in existing residential neighborhoods

**6. Size of Tract:** The 0.8264-acre site is of sufficient size to accommodate the proposed residential development.

**7. Other Factors:** The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there is no objection to the request.

The applicant is rezoning for compliance after code enforcement found the additional units on site when investigating for oversized vehicles and a shipping container on site.