



City of San Antonio

Agenda Memorandum

Agenda Date: February 21, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONING CASE Z-2022-10700351 CD

SUMMARY:

Current Zoning: "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Region 2 Airport Hazard Overlay District

Requested Zoning: "R-5 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Region 2 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 21, 2023

Case Manager: Ashley Leal, Zoning Planner

Property Owner: ROJO Consulting and Construction Management, LLC

Applicant: Jonathan Cisneros

Representative: Jonathan Cisneros

Location: 526 North San Bernardo

Legal Description: Lots 43 and 44, Block 4, NCB 8292

Total Acreage: 0.1894

Notices Mailed**Owners of Property within 200 feet:** 38**Registered Neighborhood Associations within 200 feet:** Loma Vista Neighborhood Association**Applicable Agencies:** Lackland Airfield, Planning Department**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 2590, dated September 5, 1945, and zoned Temporary "A" Single-Family Residence District. The property was rezoned by Ordinance 6846, dated March 18, 1948, to "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District converted to "MF-33" Multi-Family District. The property was rezoned by Ordinance 97385, dated March 27, 2003, to "R-5" Residential Single-Family District.

Topography: The public right of way (North San Bernardo) is entirely inundated by the 100 Year floodplain as well as encroaching the subject property from the rear. The subject property does not have unflooded access to the public right of way.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residence**Direction:** South**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residence**Direction:** East**Current Base Zoning:** UZROW**Current Land Uses:** Drainage swale**Direction:** West**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residence**Overlay District Information:**

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.

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.

Special District Information:

N/A

Transportation

Thoroughfare: North San Bernardo

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 77, 277, 524

Traffic Impact: The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502. A TIA Report is Not Required.

Parking Information: The minimum parking requirement for Dwelling – 2 Family is 1 per unit. The maximum parking requirement for Dwelling – 2 Family is 2 per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-5” Residential Single-Family District allows dwellings (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools. Overlay district that establishes regulations for outdoor lighting impacting military operations within five (5) miles of the perimeter of Camp Bullis /Camp Stanley, Randolph Air Force Base, Lackland Air Force Base and Martindale Army Air Field. Overlay district that imposes height restriction near civilian and military airports.

Proposed Zoning: “R-5” Residential Single-family District allows dwellings (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools. Overlay district that establishes regulations for outdoor lighting impacting military operations within five (5) miles of the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, Lackland Air Force Base and Martindale Army Air Field. Overlay district that imposes height restriction near civilian and military airports.

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

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located any Regional Centers but located within ½ a mile from the General McMullen-Babcock Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

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 General Urban Tier in the future land use component of the plan. The requested “R-5 CD” 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.
3. **Suitability as Presently Zoned:** The existing “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The applicant is requesting a conditional use to permit two dwelling units, but keeps the base zoning district as “R-5” Residential Single-Family, making it consistent with surrounding land use and not introduce land use designation that would be out of character in the area that is mostly single-family. The application of the conditional use provides an opportunity to limit the impact of the proposed use on surrounding properties by limiting the scope of use allowed.
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. The proposal is generally consistent with the below listed goals and policies of the SA Tomorrow Comprehensive Plan as well as the goals and strategies of the West/Southwest Sector Plan.

Relevant Goals and Policies of the Comprehensive Plan may include:

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.

H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

Relevant Goals and Strategies of the West/Southwest Sector Plan may include:

Goal LU-1 - Land use pattern emphasizes compatibility and appropriateness between uses and protects neighborhoods and businesses from incompatible land uses.

Goal HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.

HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.

HOU-3.1 Re-invest in existing residential neighborhoods.

- 6. Size of Tract:** The 0.1894 acre site is of sufficient size to accommodate the proposed development for two units.
- 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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses, proposing to develop two (2) dwelling units.