



City of San Antonio

Agenda Memorandum

Agenda Date: March 1, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 7

SUBJECT:

ZONING CASE Z-2022-10700011 CD

SUMMARY:

Current Zoning: "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "R-4 CD MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for three (3) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 1, 2022

Case Manager: Rebecca Rodriguez, Senior Planner

Property Owner: Mabel T. Vergara

Applicant: Mabel T. Vergara

Representative: Mabel T. Vergara

Location: 2444 Cincinnati Avenue

Legal Description: the East 10 feet of Lot 4, Lot 5, and the west 5.5 feet of Lot 6, Block 14, NCB 9234

Total Acreage: 0.2129

Notices Mailed

Owners of Property within 200 feet: 32

Registered Neighborhood Associations within 200 feet: University Park Neighborhood Association

Applicable Agencies: Lackland Airforce Base

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 5257, dated June 5, 1947, and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" 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: R-4

Current Land Uses: Duplex

Direction: South

Current Base Zoning: R-4

Current Land Uses: Single-Family Residence

Direction: East

Current Base Zoning: R-4

Current Land Uses: Duplex

Direction: West

Current Base Zoning: R-4

Current Land Uses: Duplex

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:

None.

Transportation

Thoroughfare: Cincinnati

Existing Character: Minor

Proposed Changes: None

Thoroughfare: Stonegate

Existing Character: Local

Proposed Changes: None

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

Routes Served: 89, 289

Traffic Impact: Preliminary Review Only– Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

Parking Information: The minimum parking required for a three (3) family dwelling is 1.5 per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-4” Residential Single-Family allows dwellings (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: “R-4” Residential Single-Family allows dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

The “CD” Conditional Use will allow for three (3) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not within a Regional Center but is within the 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 Sector Plan and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “R-4” 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 as there are no three (3) dwelling unit developments in the area.
3. **Suitability as Presently Zoned:** The existing “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family District with a Conditional Use for three (3) units is not appropriate for the area. The subject property is located within a neighborhood of primarily single-family residences and duplexes. Three-unit developments were not found in proximity of the site. In addition, the property is a small sized lot located at the center of the block.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with any public policy objective of the West/Southwest Sector.

The proposed zoning change will not meet the following goals and principles of the West Sector Plan:

LU-1.3 Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby.

LU-1.4 Allow for greater densities in neighborhoods adjacent or proximate to existing and planned activity centers and pedestrian oriented commercial nodes. Density should decrease as the distance from the activity center increases.

HOU-1.3 Preserve rural homesteads as part of the mix of housing choices.

6. **Size of Tract:** The 0.2129 acre site is of sufficient size to reasonably 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,

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 is requesting to rezone from "R-4" to "R-4 CD", in order to allow for three (3) dwelling units. If the rezoning is recommended for approval, the applicant has been made aware they will need to apply for a setback variance due to the proposed detached rear structure being less than 5-feet from the side property line.