



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 5, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2022-10700010 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:** April 5, 2022. This case is continued from the March 1, 2022 and March 15, 2022 hearings.

**Case Manager:** Mirko Maravi, Planning Coordinator

**Property Owner:** Frank Furaha

**Applicant:** Frank Furaha

**Representative:** Frank Furaha

**Location:** 106 Old Valley Hi Drive

**Legal Description:** Lot 24, Block 48, NCB 15150

**Total Acreage:** 0.3048 Acres

**Notices Mailed****Owners of Property within 200 feet:** 25**Registered Neighborhood Associations within 200 feet:** People Active in Community Effort Neighborhood Association and Valley Hi North Neighborhood Association**Applicable Agencies:** None**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 41420, dated December 25, 1972 and zoned Temporary "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" Single-Family Residence 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:** "R-6"**Current Land Uses:** Vacant Property**Direction:** South**Current Base Zoning:** "R-6"**Current Land Uses:** Single-Family Dwelling**Direction:** East**Current Base Zoning:** "R-6"**Current Land Uses:** Single-Family Dwelling**Direction:** West**Current Base Zoning:** "ROW", "R-6"**Current Land Uses:** ROW, Vacant Property**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:** Old Valley Hi Drive**Existing Character:** Local**Proposed Changes:** None Known**Public Transit:** There are VIA bus routes within walking distance of the subject property.**Routes Served:** 611

**Traffic Impact:** TIA not required. "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 requirement for two (2) dwelling units is one (1) space per unit.

**ISSUE:** None.

**ALTERNATIVES:**

**Current Zoning:** "R-6" Residential Single-Family dwellings allow (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:** "R-6" Residential Single-Family dwellings allow (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 allow two (2) dwelling units.

**FISCAL IMPACT:** None.

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

The subject property is within the Port San Antonio Regional Center but is not within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend 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 United Southwest Plan and is currently designated as "Low Density Residential" in the future land use component of the plan. The

requested "R-6" Residential base zoning district is consistent with the future land use designation.

2. **Adverse Impacts on Neighboring Lands:** Staff finds 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.
3. **Suitability as Presently Zoned:** The existing "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 an appropriate zoning for the property and surrounding area. The proposed two dwelling units is out of character with the surrounding larger lot single-family dwellings established in the area.
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 proposed rezoning appear to conflict with the following goals, principles, and objectives of the United Southwest Communities Plan:
  - Goal 2: Housing-Encourage the development of new housing that is compatible with the community.
    - Objective 2.1: Develop New Housing, encourage single family development
    - Action Steps: 2.1.1 Attract residential development at Ray Ellison on Holm Road and support rezoning to single family at this location
    - Action Steps: 2.1.3 Encourage new residential construction to include two car garages and discourage the conversion of garages into living areas and discourage the conversion of mobile homes into houses.
6. **Size of Tract:** The 0.3048-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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to the 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 seeks to rezone to utilize the property for two (2) homes measuring 2,392 square feet each and at a height of 2-stories. The applicant will also need to request a variance from the Board of Adjustment in order to have 50% impervious cover in the front yard.