

7. (Continued from 4/1/2025) ZONING CASE 2025-10700034 (Council District 7): A request for a change in zoning from "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-5 MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 1 and the west 19 feet of Lot 2, Block 14, NCB 9234, located at 2456 Cincinnati Avenue. Staff recommends Approval. (Alexa Retana, Zoning Planner, 210-207-8062, [Alexa.Retana@sanantonio.gov](mailto:Alexa.Retana@sanantonio.gov), Development Services Department)



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 15, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 7

**SUBJECT:**

ZONING CASE Z-2025-10700034

**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:** "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:** April 15, 2025. This case was continued from the April 1, 2025, hearing.

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Linh Vo

**Applicant:** Linh Vo

**Representative:** Vy Le

**Location:** 2456 Cincinnati Avenue

**Legal Description:** Lot 1 and the west 19 feet of Lot 2, Block 14, NCB 9234

**Total Acreage:** 0.2273 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** University Park Neighborhood Association

**City-Wide Community Organizations:** Women in Film & Television San Antonio

**Applicable Agencies:** Parks and Recreation, Lackland Air Force Base, Planning Department

### **Property Details**

**Property History:** The property was annexed into the of City of San Antonio by Ordinance 5257, dated June 4, 1947, and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District.

### **Code & Permitting History:**

There is no code enforcement or permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4, RM-5

**Current Land Uses:** Duplexes, Triplex, Residential Single-Family

**Direction:** South

**Current Base Zoning:** R-4

**Current Land Uses:** Duplex, Residential Single-Family

**Direction:** East

**Current Base Zoning:** R-4, R-4 CD for 3 Dwelling Units

**Current Land Uses:** Duplexes, Triplex, Residential Single-Family

**Direction:** West

**Current Base Zoning:** R-4

**Current Land Uses:** Vacant, Residential Single-Family, Park

### **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:**

N/A

**Transportation**

**Thoroughfare:** Cincinnati Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Westminster Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are VIA bus routes within ½ mile of the subject property.

**Routes Served:** 89, 289, 524

**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 requirement for Dwelling – 3 Family cluster parking allowed is 1.5 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-4” Residential Single-Family District allows for single-family 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.

Proposed Zoning: “RM-5” Residential Mixed District allows for single-family dwelling (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.

**PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:**

The subject property is not located within a Regional Center but is within a ½ mile of the General McMullen-Babcock Premium Transit Corridor and the Bandera Premium Transit 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 adopted in April 2011, 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. Surrounding properties are “RM-5” Residential Mixed District and “R-4 CD” Residential Single-Family District with a Conditional Use for three (3) dwelling units.
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 “RM-5” Residential Mixed District is also appropriate. The requested zoning is to bring the existing triplex into conformance with the current zoning code. The density on the property is consistent with the surrounding area and the subject property is appropriately located at a corner lot. Furthermore, the proposal aligns with the goals of the Strategic Housing Implementation Plan (SHIP), which encourages the development of additional housing stock to accommodate the City’s growing population.
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 public policy. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan:
  - 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.

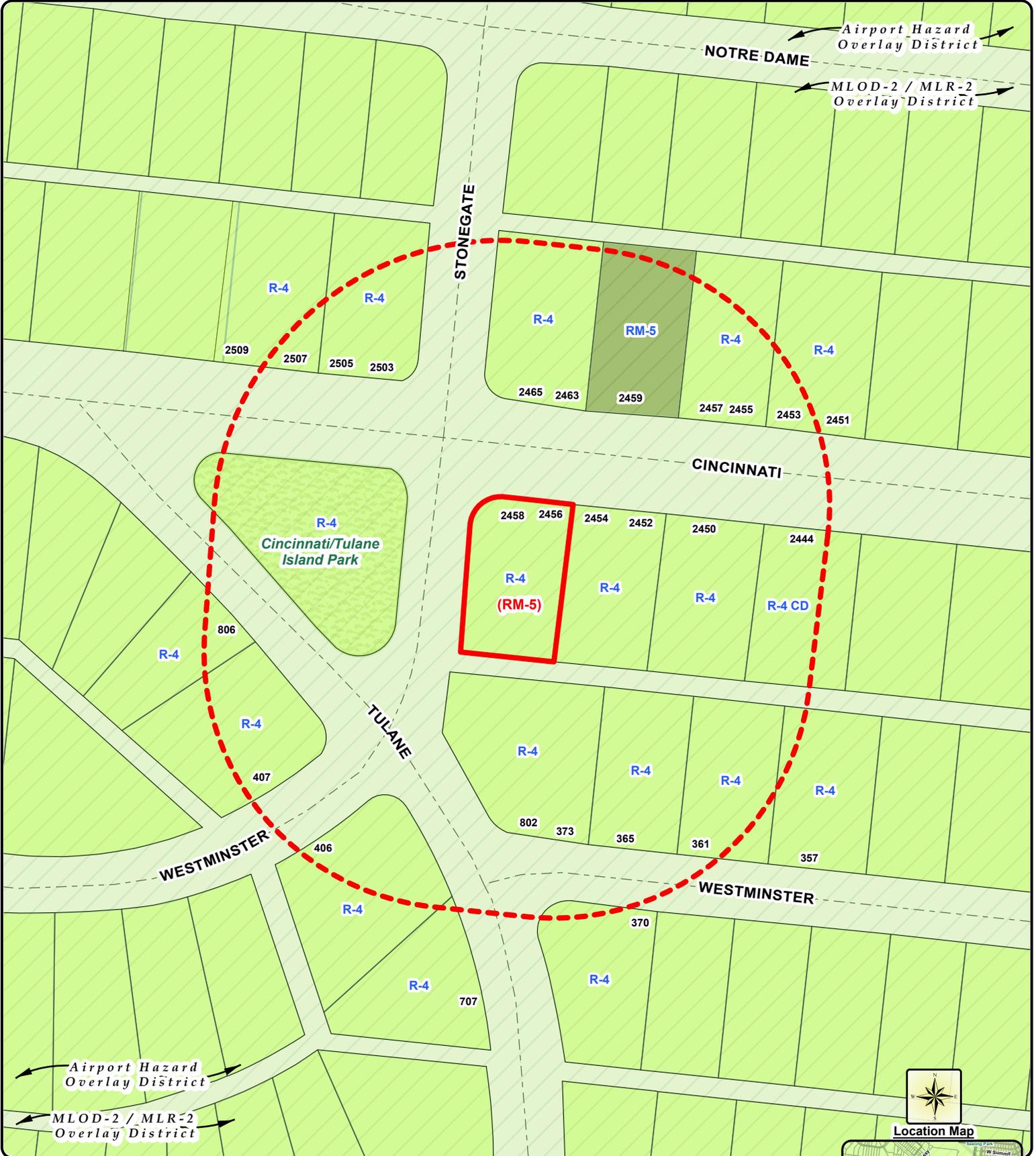
Relevant Goals and Objectives from the West/Southwest Sector Plan may include:

- 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 3.1.4- Research, utilize and promote programs and incentives that help new and existing small businesses. Encourage and support local and existing small and new businesses.
- HOU-3.1 Re-invest in existing residential neighborhoods

6. **Size of Tract:** The subject property is 0.2273 acres, which can 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.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single family use, the height is restricted to the maximum height of the single family district within 50 feet of the property line.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.



# Zoning Case Notification Plan

## Case Z-2025-10700034

Council District: 7  
 School District: San Antonio I.S.D.  
 Scale: 1" = 100 Feet

- Subject Property █
- 200 Ft. Notification Area - - - - -
- Single Family Residential ..... **.1R**
- Current Land Use Description ..... **TEXT**
- Current Zoning ..... **TEXT**
- Requested Zoning Change ..... **(TEXT)**

- ### Legend
- Creek / River Region ▨
  - City Limits ▨
  - Corridor Overlay ▨
  - ERZD Region ▨
  - MLOD Region ▨
  - AHOD Region ▨



Location Map





**DEPARTMENT OF THE AIR FORCE  
502D AIR BASE WING  
JOINT BASE SAN ANTONIO**



25 March 2025

MEMORANDUM FOR CITY OF SAN ANTONIO

FROM: 502 ABW/CMI  
JBSA Installation Mission Sustainment  
2080 Wilson Way  
Fort Sam Houston, TX 78234

SUBJECT: Joint Base San Antonio review of Zoning Case Z-2025-10700034 CD

1. Zoning Case Z-2025-10700034 CD has been reviewed by JBSA- LAK organizations. JBSA does not object with this request; however, there are additional comments for consideration in planning and development.
  - a. Subject property is within City of San Antonio Lackland Military Lighting Overlay District (MLOD) and will be required to comply with MLOD lighting standards at: [https://library.municode.com/tx/san\\_antonio/codes/unified\\_development\\_code?nodeId=ARTI\\_IIZO\\_DIV4OVDI\\_S35-339.04MILIOVDI](https://library.municode.com/tx/san_antonio/codes/unified_development_code?nodeId=ARTI_IIZO_DIV4OVDI_S35-339.04MILIOVDI), or most current City of San Antonio MLOD ordinance, related to development within 5-miles of a military installation.
  - b. Any proposed exterior construction plans, construction or alteration projects which include vertical elements (equipment: cranes, towers: communication or water) may require FAA review to verify no hazard to flight navigation prior to issuance of any construction permits.

FAA CFR Title 14 Part 77 Notice Criteria Tool that can be utilized to aid in FAA notification requirements can be found here:  
<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToForm>

Further FAA guidance is also available here:  
[https://www.faa.gov/documentLibrary/media/Form/FAA\\_Form\\_7460-1\\_042023.pdf](https://www.faa.gov/documentLibrary/media/Form/FAA_Form_7460-1_042023.pdf)
  - c. To mitigate potential interference with existing JBSA operational systems, please coordinate with 502 CS Spectrum Manager prior to use of any Spectrum dependent systems (i.e.: two-way radio communications, or any type of wireless technologies) during construction. If applicable, coordination requested by facility user prior to installation/use of any Spectrum dependent commercial or manufacturing equipment.

- d. The FAA recommends criteria of land-use practices in their Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants on or Near Airports, which is applicable to properties within five miles of JBSA-Kelly Field. To reduce the exposure to aircraft-wildlife strikes, please use the link below to access this publication and use the information to help reduce wildlife-attractant features near airports. Unwavering consideration for this aviation safety hazard is vital.

[https://www.faa.gov/airports/resources/advisory\\_circulars/index.cfm/go/document.current/documentnumber/150\\_5200-33](https://www.faa.gov/airports/resources/advisory_circulars/index.cfm/go/document.current/documentnumber/150_5200-33)

2. Point of contact for this action is Sean R. Greszler, AICP, 502 ABW/CMI. He can be reached at 210-808- 7549 or by email at [sean.greszler.1@us.af.mil](mailto:sean.greszler.1@us.af.mil) or through the 502d ABW Community Initiatives organization email box at [502ABW.ABW.Community\\_initiative@us.af.mil](mailto:502ABW.ABW.Community_initiative@us.af.mil)

MR. TIM WOLIVER, GS-14, USAF  
Executive Director, Community and  
Mission Integration, JBSA & 502 ABW