



# City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** December 6, 2022

**In Control:** Zoning Commission Meeting

---

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**  
ZONING CASE Z-2022-10700308

**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-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 6, 2022

**Case Manager:** Camryn Blackmon, Planner

**Property Owner:** David and Brenda Murray

**Applicant:** David Murray

**Representative:** David Murray

**Location:** 862 Southwest 39th Street

**Legal Description:** West 83 feet of south 63 feet of Lot 14, Block 12, NCB 8990

**Total Acreage:** 0.5503

**Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** Los Jardines Neighborhood Association

**Applicable Agencies:** Lackland Airfield

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1448, dated October 11, 1944, and zoned "C" Apartment District and "F" Local Retail District. The property was rezoned by Ordinance 68428, dated December 1, 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" Single-Family Residence District 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:** Single-Family Dwelling

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Dwelling

**Direction:** South

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Dwelling

**Direction:** West

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Dwelling

**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:** Southwest 39th Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Marbauch Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 76 and 276

**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 dwelling – 1 family is 1 per unit and there is no Maximum Parking Requirement.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-family District allows single-family dwelling (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-5" Residential Single-family District allows single-family dwelling (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.

**FISCAL IMPACT:**

None

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

Subject property is not located within ½ a mile from a Regional Center but is located within the Commerce - Houston 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 Sector and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "R-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 zoned "R-6" Residential Single-Family and "R-4" Residential Single-Family. Thus, the proposed intensity is already established in the area.
3. **Suitability as Presently Zoned:** The existing "R-6" Single-Family Residential District is an appropriate zoning for the property and surrounding area. The proposed "R-5" Single-Family Residential District is also appropriate. The request to rezone "R-5" Single-Family Residential District better suits the property's current lot dimensions and requirements while remaining consistent with the residential development of the surrounding 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:**
6. **Size of Tract:** The 0.5503 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 this request.

The property is intended to be rezoned by request of appraiser to sell the home and maintain the current lot size that does not comply with the current base zoning district "R-6."