



City of San Antonio

Agenda Memorandum

Agenda Date: February 2, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 5

SUBJECT:

ZONING CASE Z-2022-10700312

(Associated Plan Amendment PA-2022-11600105)

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-4 MLOD-2 MLR-1 AHOD" Residential Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 20, 2022. This case was continued from the December 6, 2022 hearing.

Case Manager: Elizabeth Steward, Planner

Property Owner: Moreno Family Investment

Applicant: Moreno Family Investment

Representative: Patrick Christensen, P.C.

Location: 2950 Weir Avenue

Legal Description: 0.41 acres out of NCB 11316, save and except the north 5.03 feet (0.018 acres) of NCB 11316

Total Acreage: 0.41

Notices Mailed

Owners of Property within 200 feet: 8

Registered Neighborhood Associations within 200 feet: Thompson Neighborhood Association

Applicable Agencies: Lackland Air Force Base, Planning Department, Office of Historic Preservation

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952. The property was rezoned by Ordinance 63541, dated August 28, 1986 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 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: MF-33

Current Land Uses: Apartment Complex

Direction: South

Current Base Zoning: R-6

Current Land Uses: School

Direction: East

Current Base Zoning: R-6

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: R-6

Current Land Uses: School

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: Weir Avenue

Existing Character: Local

Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property.
Routes served: 62, 251

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 for a Single Family Dwelling is 1 space per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-6" Residential Single-Family district allows a 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-4" Residential Single-Family District allows 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located with the Port San Antonio Regional Center and within ½ a mile from the General McMullen-Babcock Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial with an alternate of "RM-4" Residential Mixed District. Zoning Commission 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 Port San Antonio Regional Center Plan and is currently designated as "Employment Flex Mixed Use" in the future land use component of the plan. The Staff's recommended "RM-4" base zoning district is consistent with the future land use designation. The requested "R-4" base zoning district is not consistent

with the future land use designation. The applicant has requested a Plan Amendment to “Urban Low Density Residential”. Staff recommends Denial. Planning Commission recommends Approval.

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-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. Staff’s recommended “RM-4” Residential Mixed District is also an appropriate zoning for the property and surrounding area. Staff’s recommendation allows for additional density in an appropriate location, while still allowing single-family development. The “RM-4” zoning would be an appropriate transition between the “MF-33” zoning to the north and the “R-6” Zoning to the west. The requested “R-4” Residential Single-Family District is not appropriate for the property and surrounding area. The requested “R-4” would limit potential housing types in the area and create a lot size out of character for the surrounding neighborhood.
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 appear to conflict with public policy objectives of the Port San Antonio Regional Center 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 P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.
 - H P11: Encourage and incentivize new housing development projects to provide a mixture of housing types, sizes and prices.
 - Goal 4: Increase housing options while preserving or increasing home ownership rates. Introduce a variety of housing options in the area, particularly those currently under-represented or missing from the area that may appeal to current or future residents, including those employed within the Port San Antonio Area Regional Center. Preserve existing family-friendly neighborhoods and seek a healthy portfolio of housing types in the Port San Antonio Area Regional Center. Identify locations for future housing options and mixed-use/retail development uses so that they are close in proximity to encourage a vibrant and active area.
 - Land Use Recommendation #3: Encourage more diversity of housing options in the Port San Antonio Area Regional Center.
 - Land Use Strategy 3.5: Ensure that zoning for properties in the Port San Antonio Area supports the goals, recommendations, and strategies of the housing plan component.
 - Housing Recommendation #2: Attract diverse, new, quality housing products and incorporate housing in mixed-use areas.
6. **Size of Tract:** The 0.3854 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 proposed for development of multiple residential properties with lot sizes of 4000 square feet. At 0.3854 acres, there could potentially be development of 4 lots. The applicant is proposing 3 lots with the rezoning.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.