



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 16, 2021

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**  
Zoning Case Z-2021-10700282 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:** November 16, 2021

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** Anthony Jr. and Olga Lira

**Applicant:** Anthony Jr. and Olga Lira

**Representative:** Michael Benavides

**Location:** 159 Allsup Street

**Legal Description:** Lot 54, Block 4, NCB 8327

**Total Acreage:** 0.1562 acres

**Notices Mailed****Owners of Property within 200 feet:** 37**Registered Neighborhood Associations within 200 feet:** Memorial Heights**Applicable Agencies:** Lackland AFB**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 5, 1945 by Ordinance 2590 and originally zoned "C" Apartment District. Upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the district was converted from "C" Apartment District to "MF-33" Multi-Family District. The property rezoned from "MF-33" Multi-Family District to "R-4" Residential Single-Family District by Ordinance 98010, dated August 14, 2003.

**Topography:** The subject property is within the Aquifer Artesian Zone and within the Upper SAR Watershed.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** R-4**Current Land Uses:** Residential**Direction:** South**Current Base Zoning:** R-4, C-1**Current Land Uses:** Residential, Empty Lot**Direction:** East**Current Base Zoning:** R-4, R-6**Current Land Uses:** Residential**Direction:** West**Current Base Zoning:** R-4**Current Land Uses:** Residential**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:** Allsup Street  
**Existing Character:** Local  
**Proposed Changes:** None.

**Thoroughfare:** Calle Sur  
**Existing Character:** Local  
**Proposed Changes:** None.

**Public Transit:** There are 4 VIA bus routes within walking distance of the property.

**Traffic Impact:** ROW dedication and improvement may be required along Calle Sur and Allsup Street.

**Parking Information:** The minimum parking requirement is 1.5 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** “R-4” Residential 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:** “R-4” Residential 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.

The proposed “CD” Conditional Use would 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 proximity to a 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/Southwest 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 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 and establishes additional density not already found in the area. Surrounding properties are zoned “R-4” Residential Single-Family District.

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 of three (3) units would not be an appropriate zoning for the property and the surrounding area. The proposed density of three (3) units is not consistent with the development pattern and uses 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 request does appear to conflict with public policy objectives in the West/Southwest Sector Plan. Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses 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.
6. **Size of Tract:** The 0.1562 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 applicant proposed to develop three (3) dwelling units on the property.