



City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** May 5, 2022

**In Control:** City Council

---

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2022-10700047

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "RM-5 MLOD-2 MLR-1 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 5, 2022

**Case Manager:** Corin Hooper, Senior Planner

**Property Owner:** Ernesto Pinero Cruz

**Applicant:** Ernesto Pinero Cruz

**Representative:** Ernesto Pinero Cruz

**Location:** 2533 West Southcross Boulevard

**Legal Description:** Lot 17 and Lot 18, Block 10, NCB 8906

**Total Acreage:** 0.16 acres

**Notices Mailed****Owners of Property within 200 feet:** 36**Registered Neighborhood Associations within 200 feet:** Quintana Community**Applicable Agencies:** Lackland AFB**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1259 dated August 02, 1944 and zoned "B" Residence District. The subject property was rezoned by Ordinance 47762 dated March 17, 1977 to "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the subject property zoned "B-2" Business District converted to the current "C-2" Commercial 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" Single Family Residential**Current Land Uses:** Single Family**Direction:** South**Current Base Zoning:** "C-3" General Commercial**Current Land Uses:** Vacant**Direction:** East**Current Base Zoning:** "C-2" Commercial**Current Land Uses:** Single Family Home**Direction:** West**Current Base Zoning:** "C-2" Commercial**Current Land Uses:** Single Family Home**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:** West Southcross Boulevard**Existing Character:** Minor**Proposed Changes:** None Known**Thoroughfare:** Creighton Boulevard**Existing Character:** Minor**Proposed Changes:** None Known**Public Transit:** There are three routes within walking distance.**Routes Served:** 515, 251, 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 parking requirement for dwelling is 1 space for every unit.**ISSUE:**

None.

**ALTERNATIVES:****Current Zoning:** "C-2" Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.**Proposed Zoning:** "RM-5" Residential Mixed District. Single-Family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line 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 REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

Subject property is located within ½ a mile from Zarzamora Premium Transit Corridor and the Port San Antonio Regional Center.

**RECOMMENDATION:****Staff Analysis and Recommendation:** Staff and Zoning Commission recommend 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 Kelly/South San Pueblo Plan and is currently designated “Mixed Use” 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.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “RM-5” Residential Mixed is also an appropriate zoning for the area. Although the area is mostly zoned “C-2” Commercial, the uses in the area are primarily residential. The proposed rezoning constitutes a downzoning and zones the property to its existing use as a residential home. Many of the properties in this area are zoned for commercial use but are developed as residential homes. An area rezoning to align the zoning of the properties would be beneficial to this 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 not appear to conflict with any public policies of the Kelly/South San Pueblo Plan.

Goal 1: Improve the quality, appearance, and variety of existing and new housing for people of all ages while increasing home ownership and investment in the area.

Objective 1.2: Provide a variety of housing types that sustain all ages and economic groups.

Objective 2.3: Educate residents on the importance of keeping a quiet, clean and livable environment and complying within code regulations.

6. **Size of Tract:** The 0.16-acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The subject property is located within the Lackland Military Lighting Overlay District. In accordance with the Signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to the request.