



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8457

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/5/2019

**Title:** ZONING CASE Z-2019-10700239 (Council District 2): Ordinance amending the Zoning District Boundary from “NP-10 MLOD-3 MLR-1” Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to “R-4 MLOD-3 MLR-1” Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on 36.96 acres out of NCB 18239 and “MF-33 MLOD-3 MLR-1” Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on 42.98 acres out of NCB 18239, located at 5645 Sinclair Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600069) (Continued from November 7, 2019.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Metes and Bounds, 5. Ordinance 2019-12-05-1008

Date	Ver.	Action By	Action	Result
12/5/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700239  
(Associated Plan Amendment PA-2019-11600069)

**SUMMARY:**

**Current Zoning:** NP-10 MLOD-3 MLR-1” Neighborhood Preservation Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** “R-4 MLOD-3 MLR-1” Residential Single-Family Martindale Army Air Field Military Lighting Overlay Military Lighting Region 1 District on 36.96 acres and “MF-33 MLOD-3 MLR-1” Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on 42.98 acres

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 15, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** HELI Investments, LLC

**Applicant:** HELI Investments, LLC

**Representative:** Brown and Ortiz, P.C.

**Location:** 5645 Sinclair Road

**Legal Description:** 79.94 acres out of NCB 18239

**Total Acreage:** 79.94

**Notices Mailed**

**Owners of Property within 200 feet:** 92

**Registered Neighborhood Associations within 200 feet:** Lakeside Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield; Parks and Recreation Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 64023, dated December 29, 1986 and zoned Temporary "R-1" Single Family Residence District. The property was rezoned from Temporary "R-1" Single Family Residence District to "R-1" Residence-Agriculture District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" Residence-Agriculture District converted to the current "NP-10" Neighborhood Preservation District.

**Topography:** The property does not include any abnormal physical features such as slope but has incursion in a flood plain on the far west portion.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "I-1", "R-6" and "C-3"

**Current Land Uses:** Single-Family Dwellings and Vacant

**Direction:** South

**Current Base Zoning:** "R-4"

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

**Direction:** East

**Current Base Zoning:** "R-6" and "NP-10"

**Current Land Uses:** Single-Family Dwellings and Vacant

**Direction:** West

**Current Base Zoning:** "I-1" and "C-3R"

**Current Land Uses:** Commercial and Industrial

**Overlay and Special District Information:**

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" 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.

### **Transportation**

**Thoroughfare:** Sinclair Road

**Existing Character:** Collector

**Proposed Changes:** None Known

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

**Routes Served:** 30

**Traffic Impact:** TIA report is required.

**Parking Information:** The minimum parking requirement for a single-family dwelling is 1 space per unit. The minimum parking requirement for multi-family dwellings is 1.5 spaces per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The present zoning district designation of “NP-10” Neighborhood Preservation District are designed to protect properties zoned "R-A," "R-1a," "R-1b," or "R-1c" prior to June 4, 2001 and existing platted subdivisions which are substantially developed with single-family detached dwelling units. It is the policy of the city that these districts will be applied only to properties zoned "R-A," "R-1a," "R-1b," or "R-1c" prior to June 4, 2001 or platted subdivisions which are recorded as of the effective date of this chapter, in order to prevent such subdivisions from being further subdivided in a manner in order to avoid congestion in the streets, prevent safety hazards, protect the health and general welfare of subdivision residents, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, and facilitate the adequate provision of public facilities. The "NP" districts are not appropriate for the down zoning of unsubdivided parcels or tracts.

**Proposed:** The proposed “R-4” Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

The proposed “MF-33” Multi-Family District is the designation for multi-family use with a maximum density of up to thirty-three (33) units per acre, depending on unit size. An "MF-33" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

### **FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center or located within the Premium Transit Corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the Eastern Triangle Community Plan and is currently designated as “Parks Open Space” and “Low Density Residential” in the future land use component of the plan. The requested “R-4” base zoning district is consistent with the future land use designation. The requested “MF-33” base zoning district is not consistent with the future land use designation. The applicant is requesting a Plan Amendment to change the future land use of the western 42.98 acres to “Medium Density Residential”. Staff and Planning Commission recommend 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.

**3. Suitability as Presently Zoned:**

The current “NP-10” Neighborhood Preservation District is an appropriate zoning for the property and surrounding area. The proposed “MF-33” Multi-Family District and “R-4” Residential Single-Family District are appropriate for the properties and surrounding area. The “MF-33” Multi-Family District provides a buffer between the industrial and commercial uses to the west and is an appropriate transition to “R-4.”

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Eastern Triangle Community Plan:

- Objective 12.1: Encourage the development of diverse housing options near schools for families with school age children
- 12.1.1. Work with communities to identify vacant properties near schools for the construction of family housing.
- 12.3.3. Work with the community to explore medium density and high density quality housing that provides amenities that appeal to young adults.

**6. Size of Tract:**

The subject property is 79.94 acres, which could reasonably accommodate single-family and multi-family dwellings.

**7. Other Factors:**

The subject property is located within the Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

This zoning request includes the intention to demolish buildings. 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.

Applicant is proposing approximately 500 multi-family units and single-family homes total.