



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-4766

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 7/20/2021

**Title:** ZONING CASE Z-2021-10700147 (Council District 2): A request for a change in zoning from "C-1 MLOD-3 MLR-1" Light Commercial Martindale Military Lighting Overlay Military Lighting Region 1 District to "R-4 MLOD-3 MLR-1" Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 1 District on Lot 27, Lot 28, Lot 29, and Lot 30, Block 20, NCB 10256, located at 3243, 3247, 3251, and 3255 Martin Luther King Drive. Staff recommends Approval. (Michael Pepe, Senior Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2021-10700147

**SUMMARY:**

**Current Zoning:** "C-1 MLOD-3 MLR-1" Light Commercial Martindale Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "R-4 MLOD-3 MLR-1" Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 1 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 20, 2021

Case Manager: Michael Pepe, Senior Planner

Property Owner: City View General Construction LLC

Applicant: City View General Construction LLC

Representative: City View General Construction LLC

Location: 3243 Martin Luther King Drive, 3247 Martin Luther King Drive, 3251 Martin Luther King Drive, and 3255 Martin Luther King Drive

Legal Description: Lot 27, Lot 28, Lot 29, and Lot 30, Block 20, NCB 10256

Total Acreage: 0.5910

**Notices Mailed**

**Owners of Property within 200 feet:** 41

**Registered Neighborhood Associations within 200 feet:** Wheatley Heights Action Group

**Applicable Agencies:** Martindale Air Force Base

**Property Details**

**Property History:** The western portion of the property was annexed October 17, 1951 by Ordinance 15765 as “B” Residence District. The property was rezoned from “B” to “B-1” by Ordinance 65330 dated July 9, 1987. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned “B-1” converted to “C-1” Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-4”

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

**Direction:** East

**Current Base Zoning:** “R-4”

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

**Direction:** South

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Multi-Family Housing

**Direction:** West

**Current Base Zoning:** “R-4”

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

**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:** Martin Luther King

**Existing Character:** Collector

**Proposed Changes:** None

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

**Routes Served:** 26

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** The parking minimum for single-family dwellings is one (1) space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** C-1 districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail - no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed:** "R-4" districts allow a 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:**

The property is not located within a Regional Center but it is within a 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 the approval criteria below.

**1. Consistency:**

The subject property is located within the Eastern Triangle Community Plan and is currently designated as "High Density Mixed Use" 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 does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested "R-4" would make the block more consistent in character and allow for additional housing.

**3. Suitability as Presently Zoned:**

The current "C-1" is appropriate for the property. "R-4" would be more appropriate for the property and surrounding uses.

**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:

Goals:

Overall Goal: A well maintained community with a diverse housing stock that meets the needs of current and future residents through all stages of life

Goal 12: Quality housing

Goal 13: Well-maintained neighborhoods and housing stock

Goal 16: Housing with access to transit and public amenities

**6. Size of Tract:**

The subject property is 0.5910 acres, which could reasonably accommodate the requested residential uses.

**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, Texas Army National Guard and JBSA were notified of the proposed request.