



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-2487

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/15/2021

**Title:** ZONING CASE Z-2020-10700308 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-6 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "R-6 CD MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Two (2) Dwelling Units on Lot 15, Block 5, NCB 12835, located at 1303 Norfleet Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2021-04-15-0255

Date	Ver.	Action By	Action	Result
4/15/2021	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2020-107000308 CD

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

**Requested Zoning:** "R-6 CD MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for two (2) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 16, 2021

**Case Manager:** Justin Malone, Planner

**Property Owner:** Josh Robertson

**Applicant:** David Varga

**Representative:** David Varga

**Location:** 1303 Norfleet Street

**Legal Description:** Lot 15, Block 5, NCB 12835

**Total Acreage:** 0.24

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Government Hill Neighborhood Association

**Applicable Agencies:** Parks, Fort Sam Houston & Martindale Army Airfield

**Property Details**

**Property History:** The property was part of the original thirty-six (36) square miles of the City of San Antonio and was originally zoned of "J" Commercial District. The subject property converted from "J" Commercial District to "I-1" General Industrial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001. The subject property was then rezoned from "I-1" General Industrial District to "R-6" Residential Single-Family District by Ordinance 2008-10-16-0955, dated October 16, 2008.

**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-6 CD"

**Current Land Uses:** Single-Family Residence with a Conditional Use for a Duplex

**Direction:** East

**Current Base Zoning:** "O-1.5"

**Current Land Uses:** Vacant Land

**Direction:** South

**Current Base Zoning:** "R-6 CD"

**Current Land Uses:** Single-Family Residence with a Conditional Use for a Duplex

**Direction:** West

**Current Base Zoning:** "R-6"

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

**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:** Norfleet Street, Jim Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Serviced:** 21

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

**Parking Information:** The parking requirement for a single-family dwelling is one (1) space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “R-6” Residential Single-Family are designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is 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.

**Proposed:** The proposed zoning district designation of “R-6 CD” Residential Single-Family are designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is 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 Conditional Use would allow two (2) dwelling units as described in the site plan.

**FISCAL IMPACT:**

None.

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

The property is not part of a Regional Center and but it is within a 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 Government Hill Neighborhood Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-6” 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 zoning change would maintain the base “R-6” Residential Single-Family zoning district.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential District is an appropriate zoning for the property and surrounding area. The surrounding properties are zoned “R-6” Residential Single-Family, with a number being rezoned for “R-6 CD” Residential Single-Family with a Conditional Use for a Duplex or “R-6 CD” Residential Single-Family with a Conditional use for an Office. The proposed “R-6 CD” is consistent with the existing and potential density of the block. The Conditional Use “CD” would allow two (2) dwelling units.

#### **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 appears to conflict with the following goals, principles, and objectives of the Government Hill Neighborhood Plan:

Goal: Conserve, rehabilitate and/or replace (if necessary) housing stock

- Objective: To develop a housing preservation strategy to stabilize and improve the real estate values

Goal: Redevelop and revitalize the neighborhood

- Objective: To encourage and support any revitalization and redevelopment efforts consistent with this plan

#### **6. Size of Tract:**

The subject property is 0.24 acres, which could reasonably accommodate the proposed residential dwelling units.

#### **7. Other Factors:**

The subject property is located within the Martindale Army Airfield 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. The Military has indicated there are no objections to the request.

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated there are no objections to the request.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant seeks to rezone for two (2) dwelling units.