



City of San Antonio

Legislation Details (With Text)

File #: 20-7181

Type: Zoning Case

In control: City Council A Session

On agenda: 12/17/2020

Title: ZONING CASE Z-2020-10700228 CD (Council District 6): Ordinance amending the Zoning District Boundary from "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units on Lot 39, Block 8, NCB 8992, located at 219 Marbauch Avenue. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2020-12-17-0955

Date	Ver.	Action By	Action	Result
12/17/2020	1	City Council A Session		

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 6

SUBJECT:

Zoning Case Z-2020-10700228 CD

SUMMARY:

Current Zoning: "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 17, 2020

Case Manager: Mercedes Rivas, Senior Planner

Property Owner: Raul Garcia

Applicant: Raul Garcia

Representative: Raul Garcia

Location: 219 Marbauch Avenue

Legal Description: Lot 39, Block 8, NCB 8992

Total Acreage: 0.1185

Notices Mailed

Owners of Property within 200 feet: 23

Registered Neighborhood Associations within 200 feet: Los Jardines Neighborhood Association

Applicable Agencies: Lackland AFB

Property Details

Property History: The property was annexed on August 3, 1944 by Ordinance 1258 and was originally zoned "J" Commercial District. The subject property was then rezoned from "J" Commercial District" to "R-7" Single Family Residence District by Ordinance 72510 dated October 18, 1990. The subject property then converted from "R-7" Single Family Residence District to "R-4" Residential Single-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001.

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"

Current Land Uses: Single-Family Residences

Direction: East

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Residences

Direction: South

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Residences

Direction: West

Current Base Zoning: "R-4"

Current Land Uses: Single-Family Residences

Overlay and Special District Information:

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-2" 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.

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of

construction plans by both the Development Services Department and the Federal Aviation Administration.

Transportation

Thoroughfare: Marbauch Avenue

Existing Character: Local

Proposed Changes: None

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

Routes Serviced: 68 and 268

Traffic Impact: A Traffic Impact Analysis (TIA) cannot be determined at this time.

Parking Information: The parking requirements for a single-family dwelling are 1 space per unit.

ISSUE:

None.

ALTERNATIVES:

Current: The present zoning district designation of “R-4” Residential Single-Family provides 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 present zoning district designation of “R-4” Residential Single-Family provides 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 “CD” Conditional Use allows for two (2) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is not part of a Regional Center and is not within a premium transit corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (11-0) 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 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 does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The base zoning of “R-4” will remain the same.

3. Suitability as Presently Zoned:

The current “R-4” Residential Single-Family District is an appropriate zoning for the property. The proposed “R-4 CD” Residential Single-Family District use maintains the base zoning district and is an appropriate zoning for this property as it is directly adjacent to other “R-4” zoned properties. The Conditional Use allows consideration of two (2) dwelling units on the property.

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 West/Southwest Sector Land Use Plan:

- Goal HOU-1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
 - Strategy HOU-1.1: Promote quality design and construction for new housing
 - Strategy HOU-1.2: Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood
- Goal HOU-3: Housing is well maintained to help ensure the long-term viability of neighborhoods
 - Strategy HOU-3.1: Re-invest in existing residential neighborhoods

6. Size of Tract:

The subject property is 0.1185, which could reasonably accommodate the proposed Conditional Use of two residential dwelling units.

7. Other Factors:

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 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.