



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5278

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/5/2017

**Title:** ZONING CASE # Z2017232 (Council District 4): An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District, "C-3NA AHOD" General Commercial Non-Alcoholic Sales Airport Hazard Overlay District, "I-1 AHOD" General Industrial Airport Hazard Overlay District, and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District on 20.959 acres out of NCB 15910, located at 10055 and 10093 Marbach Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. 17-5278\_Z2017232\_DraftOrdinance, 4. Z2017232 - FN's, 5. Ordinance 2017-10-05-0773

Date	Ver.	Action By	Action	Result
10/5/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2017232

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District, "C-3NA AHOD" General Commercial Non-Alcoholic Sales Airport Hazard Overlay District, "I-1 AHOD" General Industrial Airport Hazard Overlay District, and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District

**Requested Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 5, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Estate of Lora Kriewald Robbins

**Applicant:** Lennar Homes of Texas, Inc

**Representative:** Patrick W. Christensen

**Location:** 10055 and 10093 Marbach Road

**Legal Description:** 20.959 acres out of NCB 15910

**Total Acreage:** 20.959

**Notices Mailed**

**Owners of Property within 200 feet:** 48

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1995 and was previously zoned "B-3" Business District, "B-3NA" Business Non-Alcoholic Sales District, "I-1" Industrial District, and "O-1" Office District by Ordinance 85112, dated November 7, 1995. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "C-3" General Commercial District, "C-3NA" General Commercial Non-Alcoholic Sales District, "I-1" General Industrial District, and "O-2" High-Rise Office District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

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

**Direction:** East

**Current Base Zoning:** C-3, O-2

**Current Land Uses:** Vacant Lot and Single Family Residence

**Direction:** South

**Current Base Zoning:** OCL

**Current Land Uses:** Vacant Lots

**Direction:** West

**Current Base Zoning:** OCL

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

**Overlay and Special District Information:**

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:** Marbach Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes within walking distance from the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) not required. The traffic generated by the proposed development exceeds the threshold requirements.

**Parking Information:** Single-Family Residential: Minimum vehicle spaces- 1 per unit. Maximum vehicle spaces- N/A.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. The current “C-3” General Commercial District is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. General Commercial uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses are as follows: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display is permitted in areas which are screened as provided in 35-510 of the Unified Development Code. The current “I-1” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage. The current “O-2” Office High-Rise Districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65-foot buffer zoned “NC,” “C-1” or “O-1” shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center or within a half mile of a Premium Transit Corridor.

**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 property is located within the West/Southwest Sector Plan, and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “R-5” Residential Single-Family base zoning

district is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant proposes to develop single-family homes on 5,000 square foot lots for a conventional subdivision. The request is consistent with the surrounding rural residential uses.

**3. Suitability as Presently Zoned:**

The current “O-2”, “I-1” and “C-3” base zoning district are inappropriate for the subject property’s location. Such intense uses are not ideal when located within close proximity to already established single-family homes.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property totals 20.959 acres in size, which reasonably accommodates the uses permitted in “R-5” Residential Single-Family District.

**7. Other Factors:**

None.