



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-4027

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 5/21/2019

**Title:** ZONING CASE Z-2019-10700076 (Council District 2): A request for a change in zoning from "R-4 EP-1 MLOD-3 MLR-2 AHOD" Residential Single-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 EP-1 MLOD-3 MLR-2 AHOD" Medium Intensity Infill Development Zone Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District on Lot 8B, Lot 9A, 9B and Lot 10A, Block 14, NCB 6348, located at 1138 Gibbs Street. Staff recommends Approval. (Mirko Maravi, Planner (210) 207-0107, mirko.maravi@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Ground Plan Comparison

| Date | Ver. | Action By | Action | Result |
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700076

**SUMMARY:**

**Current Zoning:** "R-4 EP-1 MLOD-3 MLR-2 AHOD" Residential Single-Family Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-2 EP-1 MLOD-3 MLR-2 AHOD," Medium Intensity Infill Development Zone Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 21, 2019

**Case Manager:** Mirko A. Maravi, Planner

**Property Owner:** Elbert Fuqua

**Applicant:** Elbert Fuqua

**Representative:** Elbert Fuqua

**Location:** 1138 Gibbs Street

**Legal Description:** Lot 8B, Lot 9A, 9B and Lot 10A, Block 14, NCB 6348

**Total Acreage:** 0.34

**Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** Jefferson Heights Neighborhood Association

**Applicable Agencies:** Fort Sam Houston

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B" Residence District converted to the current "R-4" 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 Dwelling

**Direction:** South

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

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

**Direction:** East

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

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

**Direction:** West

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

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

**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.

"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:** Gibbs St.

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 20, 25, 225

**Traffic Impact:** A TIA report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a multi-family is 1.5 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "R-4". These districts provide areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center and is located within the 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 Arena District/Eastside Community Plan and is currently designated as "Medium Density Residential" in the future land use component of the plan. The requested "IDZ-2" base zoning district and uses permitted in "RM-4" are 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.

**3. Suitability as Presently Zoned:**

The current “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area.

**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 Arena District/Eastside Community Plan:

1.1 New home construction - 25-50 homes per year

2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment

**6. Size of Tract:**

The subject property is 0.34 acres, which could reasonably accommodate the proposed mixed residential uses.

**7. Other Factors:**

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 applicant’s request the Master Plan’s Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.

The applicant’s request the Master Plan’s Policy for Neighborhoods - Policy 4a, because it preserves and revitalizes housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.