



City of San Antonio

Legislation Details (With Text)

File #: 19-5189

Type: Zoning Case

In control: City Council A Session

On agenda: 8/8/2019

Title: ZONING CASE Z-2019-10700071 (Council District 2): Ordinance amending the Zoning District Boundary from "I-1 MLOD-3 MLR-1 AHOD" General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3 MLOD-3 MLR-1 AHOD" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "R-5 MLOD-3 MLR-1 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot P5-B, NCB 17978, generally located in the 2900 Block of North Foster Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600031)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2019-08-08-0609

Date	Ver.	Action By	Action	Result
8/8/2019	1	City Council A Session	Motion to Approve	Pass
8/8/2019	1	City Council A Session	Motion to Approve	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:

Zoning Case Z-2019-10700071
(Associated Plan Amendment PA2019-11600031)

SUMMARY:

Current Zoning: "I-1 MLOD-3 MLR-1 AHOD" General Industrial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3 MLOD-3 MLR-1 AHOD" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "R-5 MLOD-3 MLR-1 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: June 18, 2019

Case Manager: Patricia Franco, Planner

Property Owner: Dahjur LP

Applicant: Herbert M. Palm

Representative: Herbert M. Palm

Location: generally located 2900 Block of North Foster Road

Legal Description: Lot P5-B, NCB 17978

Total Acreage: 8.331

Notices Mailed

Owners of Property within 200 feet: 36

Registered Neighborhood Associations within 200 feet: None.

Applicable Agencies: Martindale Army Airfield

Property Details

Property History: The property was annexed by the City of San Antonio on May 21, 1989 by Ordinance 69199 and was originally zoned "I-1" General Industrial District and "B-3" Business District. The portion of the property originally zoned "B-3" converted to "C-3" Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

Topography: The subject property is not located within the 100-year flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "R-5"

Current Land Uses: Single-Family Residences

Direction: East

Current Base Zoning: OCL

Current Land Uses: Single-Family Residences

Direction: South

Current Base Zoning: "I-1"

Current Land Uses: Vacant

Direction: West

Current Base Zoning: "R-6"

Current Land Uses: Vacant

Overlay and Special District Information:

"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.

"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: Sunset Bend

Existing Character: Local

Proposed Changes: None Known

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

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

Parking Information: Minimum parking space requirements for Single Family-Residential use is one space per resident.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "I-1" and "C-3". The "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 and light truck auction, truck stop, abrasives manufacturing, food and drug manufacturing, sand and gravel storage and sales, screened outdoor storage, outdoor flea market, manufactured homes/oversized vehicle sales, service and storage. The "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. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. Examples of permitted uses: bar/tavern and nightclub, amusement/theme parks, dance hall, movie theatre (more than 2 screens), 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.

FISCAL IMPACT:

None.

Proximity to Regional Center/Premium Transit Corridor

The subject property is not within a Regional Center or within a ½ a mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (11-0) recommend Approval, pending Plan Amendment.

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 I-10 East Corridor Perimeter Plan and is currently designated as “Low Density Residential” and “Parks Open Space” in the future land use component of the plan. The requested “R-5” base zoning is not compatible with the “Parks Open Space” land use designation. The applicant is requesting a Plan Amendment to “Low Density Residential.” Staff and Planning Commission recommend Approval of the Plan Amendment.

2. Adverse Impacts on Neighboring Lands:

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area.

3. Suitability as Presently Zoned:

The existing “I-1” Industrial and “C-3” General Commercial base zoning districts are not appropriate for the surrounding area; the proposed “R-5” request allows development of more housing, which consists of single-family subdivisions.

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 any existing goals, principles or public policies.

6. Size of Tract:

The subject property is 8.331 acres, which would adequately support residential use.

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 JB SA were notified of the proposed request. The Military responded and has no objections.