City of San Antonio

Legislation Details (With Text)

File #: 19-6056

Type: Zoning Case

In control: City Council A Session

On agenda: 8/22/2019

Title: ZONING CASE Z-2019-10700134 CD (Council District 5): Ordinance amending the Zoning District Boundary from "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "RM-6 CD MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Professional Office on Lot 1 and Lot 2, Block 9, NCB 8965, located at 868 Keats Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment Case PA-2019-11600036)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-08-22-0688

Date	Ver.	Action By	Action	Result
8/22/2019	1	City Council A Session	Motion to Approve	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 5

SUBJECT:
Zoning Case Z-2019-10700134 CD
(Plan Amendment Case PA-2019-11600036)

SUMMARY:
Current Zoning: "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "RM-6 CD MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Professional Office

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: August 6, 2019

Case Manager: Mirko Maravi, Planner

Property Owner: MLR Revovations, LLC

Applicant: Robert Herrera

Representative: Robert Herrera

Location: 868 Keats Avenue

Legal Description: Lot 1 and Lot 2, Block 9, NCB 8965

Total Acreage: 0.2870

Notices Mailed
Owners of Property within 200 feet: 41
Registered Neighborhood Associations within 200 feet: None.
Applicable Agencies: Lackland AFB

Property Details
Property History: Subject property was annexed into the City of San Antonio by Ordinance 1391, dated September 23, 1944 as "B" Residential District. The property was rezoned from "B" Residence District to the current "R-5" Single Family Residence 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-5"
Current Land Uses: Residential

Direction: South
Current Base Zoning: "R-5"
Current Land Uses: Residential

Direction: East
Current Base Zoning: "R-5"
Current Land Uses: Residential

Direction: West
Current Base Zoning: "R-5"
Current Land Uses: Residential

Overlay and Special District Information:
"MLOD-2"
All surrounding properties carry the "MLOD-1" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. The "MLOD-1" 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: Keats Street
Existing Character: Local
Proposed Changes: None Known

Thoroughfare: Commercial Avenue
Existing Character: Local
Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.
Routes Served: 46, 246

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

Parking Information: The minimum parking requirement for a duplex is 1 space per unit. The minimum parking requirement for an office is 1 space per 300 square feet.

ISSUE:
None.

ALTERNATIVES:
Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "R-5" base zoning district. These districts provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are 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.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The subject property is not within a Regional Center or the Premium Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff and Zoning Commission (8-0) 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 Nogalitos/S. Zarzamora Community Plan and is currently designated as "Low-Density Residential" in the future land use component of the plan. The requested "RM-6" base zoning district is not consistent with the future land use designation. The applicant is requesting a Plan Amendment to change the future land use to "Medium-Density Residential". Staff and Planning Commission recommend Approval.

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-5" 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 Nogalitos/S. Zarzamora Community Plan:

Goal 1 Housing Improve the quality, appearance, and variety of existing and new housing for people of all ages while preserving the character of the neighborhoods.

Objective 3.2 Business Character Build upon the historic, walkable character of the Nogalitos corridor to create a unique place to walk for shopping, working, and relaxing.

6. Size of Tract:
The subject property is 0.2870 acres, which could reasonably accommodate duplex and office use.

7. Other Factors:
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.

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.

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