



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-7849

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/7/2019

**Title:** ZONING CASE Z-2019-10700209 (Council District 2): Ordinance amending the Zoning District Boundary from "R-6 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District to "R-2 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District on 0.057 acres out of NCB 1165, located at 814 Frank Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Metes and Bounds, 5. Ordinance 2019-11-07-0934

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-2019-10700209

**SUMMARY:**  
**Current Zoning:** "R-6 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

**Requested Zoning:** "R-2 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** October 15, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Rami and Mercedes Alhaj

**Applicant:** Rami and Mercedes Alhaj

**Representative:** Rami and Mercedes Alhaj

**Location:** 814 Frank Avenue

**Legal Description:** 0.057 acres out of NCB 1165

**Total Acreage:** 0.057

**Notices Mailed**

**Owners of Property within 200 feet:** 14

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield, 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 zoned "L" First Manufacturing District. The property was rezoned by Ordinance 51898, dated February 28, 1980 from "L" First Manufacturing District to "R-1" Single Family Residential District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" Single Family Residential District converted to the current "R-6" 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-6"

**Current Land Uses:** Single Family Dwelling

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** "MR"

**Current Land Uses:** Fort Sam Houston

**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.

**Transportation**

**Thoroughfare:** Frank Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 21

**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 single residential dwelling is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “R-6” Residential Single-Family District 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.

**Proposed:** The proposed “R-2” Residential Single-Family District provides 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 but located within the Premium Transit Corridor.

**RECOMMENDATION:**

**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 subject property is located within the Government Hill Neighborhood Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-2” 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.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-2” Residential Single-Family is an appropriate zoning for the surrounding area since the use itself will remain a single-family dwelling without adding density to the 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 Government Hill Neighborhood Plan:

Low Density Residential Development includes single-family residential Development on individual lots.

Recommended development densities in Low Density Residential areas should not exceed 9 dwelling units per acre.

**6. Size of Tract:**

The subject property is 0.057 acres, which could reasonably accommodate single family dwelling use.

**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 subject property is located within the Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

The applicant is rezoning to meet minimum lot size for an “R-2”. The current lot size is 2,482 square feet. The applicant plans to build a single-family home.