



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8003

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 11/5/2019

**Title:** (Continued from 10/01/19) ZONING CASE Z-2019-10700220 CD (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 "R-4 CD 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 with Conditional Use for two (2) residential dwelling units on Lot 18 and the east 9 feet of Lot 17, Block 4, NCB 1422, located at 419 Belmont. Staff recommends Denial. (Dominic Silva, Senior Planner, (210) 207-0120, dominic.silva@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

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-2019-10700220 CD

### 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:** "R-4 CD 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 with Conditional Use for two (2) dwelling units

### BACKGROUND INFORMATION:

**Zoning Commission Hearing Date:** November 5, 2019. This case is continued from the October 1, 2019 zoning hearing.

**Case Manager:** Dominic Silva, Senior Planner

**Property Owner:** Two Rivers Financial

**Applicant:** Ziga Architecture Studio, PLLC

**Representative:** Ziga Architecture Studio, PLLC

**Location:** 419 Belmont

**Legal Description:** Lot 18 and the east 9 feet of Lot 17, Block 4, NCB 1422

**Total Acreage:** 0.1653

**Notices Mailed**

**Owners of Property within 200 feet:** 39

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

**Applicable Agencies:** Martindale Army Airfield

**Property Details**

**Property History:** The subject properties were included in the original 36 square miles of the City of San Antonio and were zoned "B" Residence District. The property converted to the current "R-4" Single-Family 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-4"

**Current Land Uses:** Residential

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** South

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

**Current Land Uses:** Residential

**Direction:** West

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

**Current Land Uses:** Residential

**Overlay and Special District Information:**

"EP"

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and

to increase access for emergency vehicles in these areas.

**"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:** Belmont

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes served: 515

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required.

**Parking Information:** 1 space per unit

**ISSUE:**

None.

**ALTERNATIVES:**

Current: The present zoning district designation of "R-4" Residential Single-Family District provides 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-4 CD" allows all of the above in addition to a two (2) dwelling units.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is located within ½ a mile of the Fort Sam Houston Regional Center and within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 Arena District/Eastside Community Plan, and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “R-4 CD” is consistent with the adopted land use designation.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. This area is developed as “R-4” Residential Single-Family. The rezoning would introduce additional density not already found in the area.

**3. Suitability as Presently Zoned:**

The current “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The requested “R-4 CD” maintains the current base zoning district but allows for consideration of an addition unit on the lot. The lot can be developed with a single family unit, similar to the new homes across the street. If the property is owner-occupied an accessory dwelling unit may be constructed with proper permits.

Additionally, it appears that the lot was once occupied by a single residential home, which was consistent with 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 rezoning request does not appear to conflict with the land use goals and strategies of the Arena District/Eastside Community Plan.

- Goal 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 of is 0.1653 acres which would adequately support residential development.

**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 JBSA were 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.