



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8030

**Type:** Zoning Case

**In control:** City Council A Session

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

**Title:** ZONING CASE Z-2019-10700223 (Council District 6): Ordinance amending the Zoning District Boundary from "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3NA S MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization to allow a Cabinet Shop to "MF-33 MLOD-2 MLR-1 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot 14, Lot 15, Lot 29, and Lot 30, Block 12, NCB 16522, located at 6402 Tahoka Boulevard, 6406 Tahoka Boulevard, 6403 Marcum Drive, and 6407 Marcum Drive. Staff recommends Denial, with an Alternate Recommendation. Zoning Commission recommends Approval. (Associated Plan Amendment PA-2019-11600065)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z-2019-10700223  
(Plan Amendment PA-2019-11600065)

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3NA S MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Specific Use Authorization for a Cabinet Shop

**Requested Zoning:** "MF-33 MLOD-2 MLR-1 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

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

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Martin Reyes

**Applicant:** Raul Ayarzagoitia

**Representative:** Raul Ayarzagoitia

**Location:** 6402 Tahoka Boulevard, 6406 Tahoka Boulevard, 6403 Marcum Drive, and 6407 Marcum Drive

**Legal Description:** Lot 14, Lot 15, Lot 29, and Lot 30, Block 12, NCB 16522

**Total Acreage:** 0.5508

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Cable Westwood Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 43495, dated April 22, 1974 and zoned Temporary “R-1” Single Family Residential District. The property was rezoned by Ordinance 45380, dated June 19, 1975 from Temporary “R-1” Single Family Residential District to “B-3” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned “B-3” Business District converted to the current “C-3” General Commercial District. Lot 14 and 15 were rezoned by Ordinance 2009-06-18-0541 from “C-3” General Commercial District to “C-3 NA S” General Commercial, Nonalcoholic Sales with a Specific Use Authorization to allow a Cabinet Shop.

**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:** Vacant

**Direction:** South

**Current Base Zoning:** “R-6” and “C-3”

**Current Land Uses:** Vacant and Body Shop

**Direction:** East

**Current Base Zoning:** “C-3 NA”

**Current Land Uses:** Hotel

**Direction:** West

**Current Base Zoning:** “R-6”

**Current Land Uses:** Single-Family Residential and 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-2"**

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. The "MLOD-2" 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:** Tahoka Boulevard

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Marcum Drive

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Arvil Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 76, 276

**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 multi-family dwelling is 1.5 spaces per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The present zoning district designation of "C-3" General Commercial District and "C-3 NA". These districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets. District regulations within the "C-3NA" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

**Proposed:** The proposed "MF-33" Multi-Family District is the designation for multi-family use with a

maximum density of up to thirty-three (33) units per acre, depending on unit size. An "MF-33" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center and located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an alternate recommendation for "MF-18" Limited Density Multi-Family District. Zoning Commission (10-0) 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 West\Southwest Sector Plan and is currently designated as "Suburban Tier" in the future land use component of the plan. The requested "MF-33" base zoning district is not consistent with the future land use designation. The applicant is requesting a Plan Amendment to "General Urban Tier". Staff recommends Denial. The Planning Commission recommends 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 "C-3" General Commercial District and "C-3NA" General Commercial, Nonalcoholic Sales District are not an appropriate zoning for the property and surrounding area. Less intensive commercial use is appropriate alongside low-density residential areas. While residential development is preferable, the proposed "MF-33" Multi-Family District is not appropriate density next to single-family dwellings. The alternate recommendation of "MF-18" would allow 9 units rather than the 16 units allowed by the proposed "MF-33."

**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 West\Southwest Sector Plan:

- Goal HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.
- Goal HOU-2 New housing developments locate near existing community facilities, schools, and physical infrastructure (e.g., streets, water, sewer, etc.) with sufficient capacity to serve new developments.

**6. Size of Tract:**

The subject property is 0.5508 acres, which could reasonably accommodate multi-family 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.

Applicant is requesting “MF-33” Multi-Family District to allow for 16 units.