



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-1005

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/16/2020

**Title:** ZONING CASE Z-2019-10700268 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-6 H MLOD-3 MLR-2 AHOD" Residential Single-Family Government Hill Historic Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-6 CD H MLOD-3 MLR-2 AHOD" Residential Single-Family Government Hill Historic Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for four (4) Residential Dwelling Units on the north 134.05 feet of Lot 1 and the west 5.1 feet of the north 134 feet of Lot 2, Block 3, NCB 1264, located at 600 East Carson Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2020-01-16-0026

Date	Ver.	Action By	Action	Result
1/16/2020	1	City Council A Session	approved on the Consent Agenda	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700268 CD

**SUMMARY:**

**Current Zoning:** "R-6 H MLOD-3 MLR-2 AHOD" Residential Single-Family Government Hill Historic Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD H MLOD-3 MLR-2 AHOD" Residential Single-Family Government Hill Historic Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for four (4) residential dwelling units (all overlays remain the same)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 19, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Anna Rozmiarek

**Applicant:** Grzegorz Rozmiarek

**Representative:** Grzegorz Rozmiarek

**Location:** 600 East Carson Street

**Legal Description:** the north 134.05 feet of Lot 1 and the west 5.1 feet of the north 134 feet of Lot 2, Block 3, NCB 1264

**Total Acreage:** 0.1880

**Notices Mailed**

**Owners of Property within 200 feet:** 29

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

**Applicable Agencies:** Martindale Army Airfield

**Property Details**

**Property History:** The property was annexed by the City of San Antonio in 1905 and was part of the original 36 square miles of the 1938 City Limits, originally zoned "Temporary A" Temporary Residence District. With the adoption of the Unified Development Code on June 28, 1965 by Ordinance 33412 "Temporary A" districts converted to Temp "R-1" Temporary Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the properties zoned Temp "R-1" converted to the current "R-6" Single-Family Residential 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" and "MF-33"

**Current Land Uses:** Residential homes

**Direction:** South

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

**Current Land Uses:** Residential home

**Direction:** East

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

**Current Land Uses:** Residential home

**Direction:** West

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

**Current Land Uses:** Residential homes

**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.

**"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:** Carson

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 20

**Traffic Impact:** A TIA cannot be determined at this time.

**Parking Information:** The minimum parking requirement for single-family residential is 1 space per resident.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "R-6". The present zoning district designation of "R-6" Residential Single-Family is designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is 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.

**Proposed:** The proposed rezoning request to "R-6 CD" with a Conditional Use for four (4) residential dwelling units would allow the property to maintain its base zoning district and bring the property into compliance.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 Alliance Neighborhood Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-6” 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. The base zoning of “R-6” will remain unchanged.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single Family District is appropriate for the surrounding area. The base zoning is maintained and the Conditional Use allows consideration of additional density to maintain the existing four (4) dwelling units.

**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:

1. Housing 1.1 Conserve, rehabilitate and/or replace (if necessary) housing stock.

**6. Size of Tract:**

The subject property is 0.1880 acres, which could reasonably accommodate a residential home.

**7. Other Factors:**

The applicant seeks to rezone the property to make the zoning designation consistent with the use of the property as a quadplex. The footprint of the building will remain the same as it is currently developed.

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.

This property is located within the Dignowity Hill Historic District. Any future exterior modifications or new construction will require written approval from the Office of Historic Preservation. Approval of a zoning change does not supersede any requirements for design review outlined in Article VI of the Unified Development Code.