City of San Antonio

Legislation Details (With Text)

File #:	20-1643
Type:	Zoning Case
In control:	City Council A Session
On agenda:	2/20/2020
Title:	ZONING CASE Z-2019-10700225 (Council District 7): 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-5 MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 19, Block 4, NCB 13450, located at 5403 San Benito Drive. Staff recommends Denial. Zoning Commission recommends Approval.
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2020-02-20-0148

Date	Ver.	Action By	Action	Result
2/20/2020	1	City Council A Session	Motion to Appr w Cond	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 7

SUBJECT:
Zoning Case Z-2019-10700225

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-5 MLOD-2 MLR-2 AHOD" Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: January 21, 2020. This case is continued from the October 15, 2019, November 5, 2019, and December 3, 2019 zoning hearings.

Case Manager: Mirko Maravi, Planner

Property Owner: Michaela Smith-Stocker

Applicant: Michaela Smith-Stocker

Representative: Michaela Smith-Stocker

Location: 5403 San Benito Drive

Legal Description: Lot 19, Block 4, NCB 13450

Total Acreage: 0.1873

Notices Mailed
Owners of Property within 200 feet: 40
Registered Neighborhood Associations within 200 feet: Culebra Park 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 18115, dated September 25, 1952 and zoned "A" Single Family District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "A" Single Family District converted to the current "R-5" 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-5"
Current Land Uses: Single Family Dwelling

Direction: South
Current Base Zoning: "R-5"
Current Land Uses: Single Family Dwelling

Direction: East
Current Base Zoning: "R-5"
Current Land Uses: Single Family Dwelling

Direction: West
Current Base Zoning: "R-5"
Current Land Uses: Single Family Dwelling

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: San Benito Drive
Existing Character: Local
Proposed Changes: None Known

Thoroughfare: El Centro Drive
Existing Character: Local
Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.
Routes Served: 82, 282

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 dwelling - 3 family cluster is 1.5 spaces per unit.

ISSUE:
None.

ALTERNATIVES:
Current: The present zoning district designation of "R-5" Residential Single-Family District 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.

Proposed: The proposed "RM-5" Residential Mixed 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.

FISCAL IMPACT:
None.

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

RECOMMENDATION:
Staff Analysis and Recommendation: Staff recommends Denial. Zoning Commission (9-0) 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 "General Urban Tier" in the future land use component of the plan. The requested "RM-5" base zoning district is consistent with the future 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. The entire area is zoned "R-5" and consists of single-family homes. The requested "RM-5" Residential Mixed district is not consistent with the development pattern of the area and introduces more density into a primarily single-family area.

3. Suitability as Presently Zoned:
The current "R-5" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "RM-5" Residential Mixed is an appropriate zoning in a "General Urban Tier", however there is no development pattern with more than one residential unit in this area. The proposed zoning change would change the character of the neighborhood with the introduction of three (3) residential 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 appears to conflict with the following goals, principles, and objectives of the West/Southwest Sector Plan:

HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.

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 0.1873 acres, which could reasonably accommodate 3 residential dwellings.

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 rezoning to have three (3) residential units.