



City of San Antonio

Legislation Details (With Text)

File #: 20-2615

Type: Zoning Case

In control: City Council A Session

On agenda: 4/2/2020

Title: ZONING CASE Z-2020-10700007 (Council District 4): Ordinance amending the Zoning District Boundary from "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lots 1, 2, 3, 4, 5, and 0.881 acres out of Lot 6, Block 39, NCB 18159, located in the 9400 and 9500 block of Marbach Road. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Field Notes, 5. Ordinance 2020-04-02-0233

Date	Ver.	Action By	Action	Result
4/2/2020	1	City Council A Session	adopted	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 4

SUBJECT:

Zoning Case Z-2020-10700007

SUMMARY:

Current Zoning: "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District.

Requested Zoning: "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District.

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 3, 2020

Case Manager: Victoria Castro, Planner

Property Owner: RR Group, Ltd.

Applicant: Land Use Solutions, LLC

Representative: Land Use Solutions, LLC

Location: 9400 and 9500 block of Marbach Road

Legal Description: Lots 1, 2, 3, 4, 5, and 0.881 acres out of Lot 6, Block 39, NCB 18159

Total Acreage: 6.974

Notices Mailed

Owners of Property within 200 feet: 93

Registered Neighborhood Associations within 200 feet: Adams Hill Neighborhood Association

Applicable Agencies: Lackland Air Force Base

Property Details

Property History: The property was annexed by Ordinance 81106 on December 8, 1994 and zoned Temporary "R-1" Single Family Residence District. The subject property was rezoned by Ordinance 82189, dated May 11, 1995, from Temporary "R-1" Single Family Residence District to "R-1" Single Family Residence District and "B-3R" Restrictive Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" Single Family Residence District was converted to "R-6" Residential Single-Family District. The "B-3R" Restrictive Business District was converted to the current "C-3R" General Commercial Restrictive Business District. In May 8, 2003, Ordinance 97594 converted the "R-6" Residential Single-Family District to the current "C-2" Commercial 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: ROW

Current Land Uses: Marbach Road

Direction: East

Current Base Zoning: ROW

Current Land Uses: Holwick

Direction: South

Current Base Zoning: "R-5"

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: C-3R

Current Land Uses: Commercial Use

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: Marbach Road

Existing Character: Secondary Arterial Type A 86'

Proposed Changes: None Known

Public Transit: VIA bus route are within walking distance of the subject property

Routes Served: 613

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-family dwelling is 1 spaces per unit.

ISSUE:

None.

ALTERNATIVES:

Current: The present zoning district designation of "C-3" General Commercial District accommodates intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code and "C-2" Commercial District accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

Proposed: The proposed "R-5" Residential Single-Family accommodates Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not within a Regional Center or Corridor Buffer.

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 West / Southwest Sector Plan and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “R-5” base zoning district is consistent with the future land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed “R-5” is consistent with the existing “R-5” zoning located south of the subject property.

3. Suitability as Presently Zoned:

The current “C-3” General Commercial District and “C-2” Commercial District is an appropriate zoning for the property and surrounding area. However, the proposed “R-5” is also appropriate with existing residential zoning and uses. It also down zones “C-3”, which is intense commercial adjacent to residential districts and uses.

4. Health, Safety and Welfare:

Staff has found no 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:

- Provide multi-modal connections between new residential developments and existing community facilities.
- Promote awareness of the benefits of locating new housing near existing community facilities and physical infrastructure.

6. Size of Tract:

The subject property is 6.974 acres, which could reasonably accommodate residential uses.

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.

The applicant is requesting to rezone from “C-3R and C-3 PUD” to “R-5”, to develop thirty-four (34) residential homes.