City of San Antonio

Legislation Details (With Text)

File #:	20-3365
Type:	Zoning Case
	In control: City Council A Session
On agenda:	6/4/2020
Title:	ZONING CASE Z-2019-10700322 ERZD (Council District 10): Ordinance amending the Zoning District Boundary from “NP-10 ERZD” Neighborhood Preservation Edwards Recharge Zone District to “R-6 ERZD" Residential Single-Family Edwards Recharge Zone District on 16.29 acres and "MF-18 ERZD" Limited Density Multi-Family Edwards Recharge Zone District and allowing a fence up to eight (8) feet in height in accordance with Section 35-514 (c)(2)(D) of the Unified Development Code, on 5.313 acres, a total of 21.6 acres out of NCB 17194, located in the 16600 block of Jones Maltsberger Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600094)
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Map, 2. SAWS Report, 3. Minutes, 4. Draft Ordinance, 5. Field Notes, 6. Ordinance 2020-06-04-0391

Date	Ver.	Action By	Action	Result
6/4/2020	1	City Council A Session		

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 10

SUBJECT:
Zoning Case Z-2019-10700322 ERZD
(Associated Plan Amendment PA-2019-11600094)

SUMMARY:
Current Zoning: NP-10 ERZD” Neighborhood Preservation Edwards Recharge Zone District

Requested Zoning: “R-6 ERZD" Residential Single-Family Edwards Recharge Zone District on 16.29 acres and "MF-18 ERZD" Limited Density Multi-Family Edwards Recharge Zone District on 5.313 acres allowing a fence up to eight (8) feet in height in accordance with Section 35-514 (c)(2)(D) of the Unified Development Code

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: May 5, 2020. The March 17, April 7 and April 21 meetings were cancelled.

Case Manager: Michael Pepe, Planner

Property Owner: Mustang Oaks, LLC

Applicant: Mustang Oaks, LLC

Representative: Killen, Griffin, & Farrimond, PLLC

Location: 16600 block of Jones Maltsberger Road

Legal Description: 21.6 acres out of NCB 17194

Total Acreage: 21.6

Notices Mailed
Owners of Property within 200 feet: 64
Registered Neighborhood Associations within 200 feet: Scattered Oaks Homeowner's Association, Redland Oaks Homeowner's Association
Applicable Agencies: San Antonio Water System, Parks Department

Property Details
Property History: The subject property was annexed by Ordinance 81102 on December 31, 1994 and zoned Temporary "R-1" Residence District. The zoning was rezoned to "R-A" Residence Agriculture District on March 28, 1996 by Ordinance 83859. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-A" converted to the current "NP-10" Neighborhood Preservation District.
Topography: A portion subject property is located within the 100-year flood plain.

Adjacent Base Zoning and Land Uses
Direction: North
Current Base Zoning: "C-2", "NP-10", "R-5"
Current Land Uses: Vacant lot, Single-Family Dwellings

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

Direction: South
Current Base Zoning: "NP-10", "R-20"
Current Land Uses: Single-Family Dwellings

Direction: West
Current Base Zoning: "R-6", "O-2"
Current Land Uses: Office, Single-Family Dwellings

Overlay and Special District Information:
"ERZD"
All surrounding properties carry the "ERZD" Edwards Recharge Zone District. The "ERZD" does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the "ERZD".

Transportation
Thoroughfare: Jones Maltsberger
Existing Character: Secondary Arterial B
Proposed Changes: Secondary Arterial A

Public Transit: VIA bus routes are not within walking distance of the subject property.

Traffic Impact: A Traffic Impact Analysis (TIA) cannot be determined at this time.

Parking Information: The minimum parking requirement for a Single-Family Dwelling is 1 space per unit. The minimum parking requirement for a Multi-Family Dwelling is 1.5 spaces per unit.

ISSUE:
None.

ALTERNATIVES:
Current: In "NP-10" Neighborhood Preservation uses are the same as within the "R-6" zoning district. Designed to protect existing platted subdivisions which are substantially developed with single-family detached dwelling units. (8,000 sq. ft. minimum lot size for NP-8, 10,000 sq. ft. minimum lot size for NP-10, and 15,000 sq. ft. minimum lot size for NP-15)

Proposed: The proposed "R-6" allows a Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The "MF-18" proposed Multi-family permits Multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, 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 Transit Center or located within a half mile of a Premium Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff and Zoning Commission (11-0) 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 San Antonio International Airport Vicinity Plan and is currently designated as "Low Density Residential" and "Parks and Open Space" in the future land use component of the plan. The requested "MF-18" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Low Density Residential" and "Medium Density Residential". Staff and Planning Commission recommend Approval.

2. Adverse Impacts on Neighboring Lands:
Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern. The requested "MF-18" and "R-6" allow for a more effective use of space in a way that is compatible with surrounding single-family neighborhoods.

3. Suitability as Presently Zoned:
The existing "NP-10" Neighborhood base zoning is not an appropriate zoning district for the surrounding area. The proposed "MF-18" and "R-6" zonings are a more appropriate zoning for the area, as the "MF-18" acts as a buffer between the large thoroughfare and the existing and proposed single-family set farther back from the road.

4. Health, Safety and Welfare:
Staff has not found indication of likely adverse effects on the public health, safety, or welfare. The recommendations of the San Antonio Water System report assist in mitigating potential environmental impact.

5. Public Policy:
The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the San Antonio International Airport Vicinity Plan:

Goal I: Protect the quality of life of residents including health, safety and welfare

Goal II: Encourage economic growth that enhances airport operations and development

6. Size of Tract:
The subject property is approximately 21.6 acres, which would adequately support the requested residential uses.

7. Other Factors:
The Specific Use Authorization in this case is a requirement of the Code for properties within the Edwards Recharge Zone District, which allows San Antonio Water System (SAWS) to examine the proposed use of the property and its conformity with SAWS requirements.

SAWS recommendation is that impervious cover shall not exceed 35% on the overall 21.603 acre site.

The applicant is also requesting to allow a fence up to eight (8) feet in height in accordance with Section 35-514 (c)(2)(D) of the Unified Development Code as part of the rezoning.

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