



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4038

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/6/2020

**Title:** ZONING CASE Z-2020-10700083 (Council District 2): Ordinance amending the Zoning District Boundary from "C-3NA MLOD-3 MLR-1" General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "PUD C-1 MLOD-3 MLR-1" Planned Unit Development Light Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "R-4 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District on 1.139 acres out of NCB 10615, generally located in the 5000 block of Waycross Lane. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Warranty Deed, 5. Ordinance 2020-08-06-0489

Date	Ver.	Action By	Action	Result
8/6/2020	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2020-10700083

**SUMMARY:**

**Current Zoning:** "C-3NA MLOD-3 MLR-1" General Commercial Nonalcoholic Sales Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District and "PUD C-1 MLOD-3 MLR-1" Planned Unit Development Light Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "R-4 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 2, 2020

**Case Manager:** Victoria Castro, Planner

**Property Owner:** Martin Figueroa

**Applicant:** Martin Figueroa

**Representative:** Martin Figueroa

**Location:** Generally located in the 5000 block of Waycross Lane

**Legal Description:** 1.139 acres out of NCB 10615

**Total Acreage:** 1.139

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Registered Neighborhood Associations within 200 feet:** None.

**Applicable Agencies:** Martindale Army Air Field

**Property Details:**

The property was annexed by Ordinance 25568 on September 19, 1957 and zoned Temporary “A” Single-Family Residence District. The subject property was rezoned by Ordinance 60504, dated April 4, 1985, from Temporary “A” Single-Family Residence District to “B-3NA” Business Non-Alcoholic Sales District and “PUD B-1” Planned Unit Development Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned “B-3NA” Business Non-Alcoholic Sales District converted to the current “C-3NA” General Commercial District and “PUD B-1” Planned Unit Development Business District converted to the current “PUD C-1” Planned Unit Development 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:** “C-3 NA” and “R-5”

**Current Land Uses:** Vacant lot and Single-Family Residences

**Direction:** East

**Current Base Zoning:** “R-5”

**Current Land Uses:** Single-Family Residences

**Direction:** South

**Current Base Zoning:** “C-1 PUD” and “I-1 PUD”

**Current Land Uses:** Vacant lot

**Direction:** West

**Current Base Zoning:** “R-5”

**Current Land Uses:** Vacant lot

**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.

**Transportation**

**Thoroughfare:** Waycross Way

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** 25

**Traffic Impact:** Traffic Impact Analysis (TIA) can't be determined at this time.

**Parking Information:** The parking requirement for a single family dwelling is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** "C-3" districts are intended to provide for more 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.

The current zoning district designation of "C-3NA" is identical to "C-3" districts except that the sale of alcoholic beverages is prohibited.

The "C-1" districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail - no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "PUD C-1" simply indicates that there is a planned development for light commercial use. A Planned Unit Development usually has a 20-foot perimeter setback requirement.

**Proposed:** The proposed zoning district designation of "R-4" accommodates Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The property is not within a Regional Center and is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (8-0) 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 Eastern Triangle Community Plan and is currently designated as “Low Density Residential” in the land use component of the plan. The requested “R-4” base zoning district is consistent with the adopted land use designation.

**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 rezoning to “R-4” is more consistent with the established development pattern of the surrounding area than the existing “C-3NA” General Commercial Nonalcoholic Sales district and “PUD C-1” Planned Unit Development Light Commercial district.

**3. Suitability as Presently Zoned:**

The current “C-3NA” General Commercial Nonalcoholic Sales and “C-1 PUD” Light Commercial Planned Unit Development is not an appropriate zoning for the property and surrounding area. The proposed “R-4” zoning is a more appropriate for this area, since the surrounding properties are predominantly single-family residences. It also downzones the properties from commercial to residential use.

**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 request does not appear to conflict with any public policy objective of the Eastern Triangle Community Plan which encourages the following:

**Objective 12.1:** Encourage the development of diverse housing options near schools for families with school age children.

**Objective 12.6:** Promote sustainable homeownership.

**6. Size of Tract:**

The 1.139 acre site is of sufficient size to accommodate the proposed residential single-family development.

**7. Other Factors:**

The applicant is requesting to rezone, in order to allow for 11 (eleven) single-family dwelling units.

The subject property is located within the Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there is no objection to the request.