



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-6706

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 11/17/2020

**Title:** ZONING CASE Z-2020-10700228 CD (Council District 6): A request for a change in zoning from "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units on Lot 39, Block 8, NCB 8992, located at 219 Marbauch Avenue. Staff recommends Approval. (Mercedes Rivas, Senior Planner, (210) 207-0215, Mercedes.Rivas2@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**  
Zoning Case Z-2020-10700228 CD

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 17, 2020

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Raul Garcia

**Applicant:** Raul Garcia

**Representative:** Raul Garcia

**Location:** 219 Marbauch Avenue

**Legal Description:** Lot 39, Block 8, NCB 8992

**Total Acreage:** 0.1185

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Los Jardines Neighborhood Association

**Applicable Agencies:** Lackland AFB

**Property Details**

**Property History:** The property was annexed on August 3, 1944 by Ordinance 1258 and was originally zoned "J" Commercial District. The subject property was then rezoned from "J" Commercial District to "R-7" Single Family Residence District by Ordinance 72510 dated October 18, 1990. The subject property then converted from "R-7" Single Family Residence District to "R-4" Residential Single-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001.

**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"

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

**Direction:** East

**Current Base Zoning:** "R-4"

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

**Direction:** South

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

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

**Direction:** West

**Current Base Zoning:** "R-4"

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

**Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. 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.

"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:** Marbauch Avenue

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Serviced:** 68 and 268

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

**Parking Information:** The parking requirements for a single-family dwelling are 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "R-4" Residential Single-Family provides 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 present zoning district designation of "R-4" Residential Single-Family provides 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.

The "CD" Conditional Use allows for two (2) dwelling units.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff 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 “R-4” 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-4” will remain the same.

**3. Suitability as Presently Zoned:**

The current “R-4” Residential Single-Family District is an appropriate zoning for the property. The proposed “R-4 CD” Residential Single-Family District use maintains the base zoning district and is an appropriate zoning for this property as it is directly adjacent to other “R-4” zoned properties. The Conditional Use allows consideration of two (2) dwelling units on the property.

**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 West/Southwest Sector Land Use Plan:

- Goal HOU-1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
  - Strategy HOU-1.1: Promote quality design and construction for new housing
  - Strategy 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-3: Housing is well maintained to help ensure the long-term viability of neighborhoods
  - Strategy HOU-3.1: Re-invest in existing residential neighborhoods

**6. Size of Tract:**

The subject property is 0.1185, which could reasonably accommodate the proposed Conditional Use of two residential dwelling units.

**7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

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.