City of San Antonio

Legislation Details (With Text)

File #:	21-4343
Type:	Zoning Case
	In control: City Council A Session
On agenda:	6/17/2021
Title:	ZONING CASE Z-2021-10700061 CD (Council District 2): Ordinance amending the Zoning District Boundary from "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 CD MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Two (2) Dwelling Units on Lot 13, Block 2, NCB 1420, located at 219 North Gevers Street. Staff and Zoning Commission recommend Approval. (Continued from June 3, 2021)
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2021-06-17-0494

Date	Ver.	Action By	Action	Result

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:
Zoning Case Z-2021-10700061 CD

SUMMARY:
Current Zoning: "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "R-4 CD MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale 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: May 04, 2021

Case Manager: Azadeh Sagheb, Senior Planner

Property Owner: Brett Henneke

Applicant: Ziga Architecture Studio PLLC

Representative: Ziga Architecture Studio PLLC

Location: 219 North Gevers Street

Legal Description: Lot 13, Block 2, NCB 1420

Total Acreage: 0.1405

Notices Mailed
Owners of Property within 200 feet: 39
Registered Neighborhood Associations: Jefferson Heights Neighborhood Association
Applicable Agencies: Martindale

Property Details
Property History: The subject property was located within the original 36 square miles of the City of San Antonio and was originally zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Single-Family Residential 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: "UZROW", "R-4"
Current Land Uses: Local Street, Single-Family Use

Direction: East
Current Base Zoning: "UZROW", "R-4"
Current Land Uses: Local Street, Single-Family Use

Direction: South
Current Base Zoning: "R-4"
Current Land Uses: Single-Family Use

Direction: West
Current Base Zoning: "R-4"
Current Land Uses: Single-Family 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-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: N Gevers
Existing Character: Local
Proposed Changes: None

Thoroughfare: Paso Hondo
Existing Character: Local
Proposed Changes: None

Public Transit: VIA bus routes are within walking distance of the subject property.
Routes Served: 20, 24, 25, 222, and 225.

Traffic Impact: A Traffic Impact Analysis (TIA) is not required. ROW dedication and improvement may be required along Paso Hondo and Gevers.

Parking Information: The minimum parking requirement for single-family dwellings is one (1) space per unit.

ISSUE:
None.

ALTERNATIVES:
Current: "R-4" Residential districts accommodate single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed: "R-4" Residential districts accommodate single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The "CD" Conditional Use will allow all "R-4" uses in addition to two dwelling units, pursuant to a site plan.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The property is not within a Regional Center however it is within a Premium Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff and Zoning Commission (10-0) 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 Arena District/Eastside Community Plan and is currently designated as "Medium Density Residential." 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. Properties in the area are zoned “R-4” Residential Single Family. The proposed rezoning maintains the base “R-4” zoning designation. These properties also benefit from the “B” to “R-4” conversion, which allows a duplex unit. Additionally, a majority of properties within the neighborhood consist of two residential units.

3. Suitability as Presently Zoned:
The current "R-4" Residential District is appropriate for the property and surrounding area. The requested “R-4 CD” base zoning district with a Conditional Use for Two (2) Dwelling Units is consistent and compatible with existing and surrounding zoning and uses. The request maintains the base “R-4”, while the “CD” Conditional Use allows consideration of two (2) units.

4. Health, Safety and Welfare:
Staff has not found indication of likely adverse effects on the public health, safety, or welfare. The proposed zoning would allow new housing development within the neighborhood to supplement the existing ones.

5. Public Policy:
The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Arena District Community Plan:

Goals:

1. Redevelopment Goals over the next 10-15 years
   1.1 New home construction - 25-50 homes per year.
2. Land Use Guiding Principles
   2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations.
   2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment.
   2.3 Create attractive streets.

6. Size of Tract:
The subject property is 0.1405 acres, which could reasonably accommodate the requested 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 Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant intends to develop a vacant parcel and construct two (2) new detached residential dwelling units. Although the property is allowed for a duplex as a result of the “B” to “R-4” conversion, the applicant is proposing two detached units. A duplex is attached. The request results in the same density as allowed in the current zoning.