



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 17, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2024-10700203

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District on 0.12 acres out of NCB 863 and "R-3 AHOD" Single-Family Residential Airport Hazard Overlay District on 0.09 acres out of NCB 863

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** JVC Chalfant

**Applicant:** Patrick Christensen

**Representative:** Patrick Christensen

**Location:** 401 East Mistletoe Avenue

**Legal Description:** the east 46 feet of Lot 8, and the west 7 feet of Lot 9, NCB 863

**Total Acreage:** 0.21 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 30

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Neighborhood Association and San Antonio Texas District 1 Resident Association

**Applicable Agencies:** Fort Sam Houston Army Base

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned "B" Residence District. The property was rezoned by Ordinance 83331, dated December 14, 1995, and zoned "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

**Code & Permitting Details:**

There is no code enforcement or permitting history for the subject property.

**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, RM-4

**Current Land Uses:** Residential Dwellings

**Direction:** South

**Current Base Zoning:** R-6, RM-4

**Current Land Uses:** Residential Dwellings, Vacant

**Direction:** East

**Current Base Zoning:** RM-4, R-6

**Current Land Uses:** Residential Dwellings

**Direction:** West

**Current Base Zoning:** R-6, RM-4

**Current Land Uses:** Residential Dwellings

**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

None

**Transportation**

**Thoroughfare:** East Mistletoe Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Carleton Court

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are VIA transit routes within a ½ mile of the subject property.

**Routes Served:** 5, 204, 90

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for Dwelling-1 Family is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family District allows for 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.

Proposed Zoning: “R-5” Residential Single-Family District allows for 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.

“R-3” Single-Family Residential District allows for single-family dwelling with a minimum lot size of 3,000 square feet for R-3, 2,000 square feet for R-2 and 1,250 square feet for R-1 and a minimum lot width of 20 feet, designed to provide options for developing dwelling units for specialized housing markets such as affordable housing, starter homes, and empty nester homes.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center or within ½ a mile from the San Pedro Metro Premium Plus Transit Corridor and the New Braunfels Avenue Metro Premium Plus Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

1. **Consistency:** The subject property is located within the Midtown Area Regional Center Plan, adopted June 6, 2019, and is currently designated as "Urban Low Density Residential" in the future land use component of the plan. The requested "R-5" and "R-3" base zoning districts are 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 proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are "R-6" Residential Single-Family and "RM-4" Residential Mixed District. Surrounding properties are "R-6" Residential Single-Family and "RM-4" Residential Mixed District.
3. **Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "R-5" Residential Single-Family District and "R-3" Single-Family Residential District are also appropriate. The purpose of the rezoning is to subdivide the property by replating and sell the lots individually. The property has two (2) existing units, and the density and character of the neighborhood would be maintained with the proposed rezoning. Additionally, the proposed rezoning supports the Strategic Housing Implementation Plan (SHIP) for diverse housing types for various income levels.
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 objectives of the Midtown Area Regional Center Plan:
  - Goal 1: Preserve the Midtown Area's Distinct Character
    - o Continue to nurture the Midtown Area's identity as a welcoming place for diverse families.
  - Goal 5: Broaden Housing Choices
    - o Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.
  - Goal 11: Grow Unique Destinations
    - o Fortify Midtown Area destinations with complementary housing, education, employment, entertainment, and transportation choices.

6. **Size of Tract:** The subject property is 0.21-acres , which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The applicant is rezoning to eventually subdivide and sell the lots individually.

The subject property is located within the Fort Sam Houston 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 are no objections to this request.

The property is proposed for a development with a lot size of 5,000 square feet. At 0.12 acres, there could potentially be development of 1 lot. The applicant is proposing 1 lot with the rezoning.

The property is proposed for a development with a lot size of 3,000 square feet. At 0.09 acres, there could potentially be development of 1 lot. The applicant is proposing 1 lot with the rezoning.