



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 5, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING Z-2023-10700361

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 MLOD-3 MLR-2 AHOD" Limited Intensity Infill Development Zone Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for two (2) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2024

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** Schwarz and Blanco, Inc

**Applicant:** Schwarz and Blanco, Inc

**Representative:** Patrick W Christensen, P.C.

**Location:** 305 Sandmeyer Street

**Legal Description:** South 100 feet of Lot 10, Block 1, NCB 3133

**Total Acreage:** 0.1148 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 34

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance  
Neighborhood Association, Government Hill Tomorrow Community Organization

**Applicable Agencies:** Office of Historic Preservation, Planning Department, Martindale Army  
Air Field, Fort Sam Houston

### **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 “C” Apartment District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned “C” Apartment District converted to “MF-33” Multi-Family District. The property was rezoned by Ordinance 2008-10-16-0955, dated October 16, 2008, to the current “R-6” Residential Single-Family District.

### **Code & Permitting Details:**

Electrical Investigation (INV-ELE-INV23-23301964) July 2023

Plumbing Investigation (INV-PLB-INV23-23501952) July 2023

Building Investigation (INV-BLD-INV23-23201976) July 2023

Demolition Permit (DEM-DEM-PMT23-39200044) May 2023

Minor Building Repair Application (MEP-TRD-APP22-33140424) December 2022

Residential Repair Permit (REP-RRP-PMT-22-35304998) December 2022

Overgrown Yard Investigation (INV-VOP-24-2590013575) March 2024

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-6”, “R-6 CD”

**Current Land Uses:** Single Family Dwellings, Duplex

**Direction:** East

**Current Base Zoning:** “R-6”, “R-6 CD”

**Current Land Uses:** Single Family Dwellings, Triplex

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Single Family Dwellings

**Direction:** West

**Current Base Zoning:** “R-6”, “R-6 CD”, “R-5”

**Current Land Uses:** Single Family Dwellings, Multi-Family

**Overlay District Information:**

The "MLOD-3" Martindale Army Airfield Military Lighting Overlay District 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.

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:**

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

**Transportation**

**Thoroughfare:** Sandmeyer Street

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Calhoun Street

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 20, 21

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** "IDZ-1" base zoning district would waive the minimum parking requirement. The minimum parking requirement for a single-family residential dwelling is 1 parking space per unit.

**ISSUE:**

None

**ALTERNATIVES:**

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

Proposed Zoning: "IDZ-1" Limited Intensity Infill Development Zone District allows rezoning requests up to 18 units per acre, and uses permitted in "C-1" and "O-1". All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The uses permitted by the “IDZ-1” base zoning district would be for two (2) dwelling units.

**FISCAL IMPACT:**

None

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

The property is not located within a Regional Center but is within ½ a mile of the New Braunfels Metro Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend 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 Eastside Community Area Plan, adopted in 2024, and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “IDZ-1” 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 proposed use is consistent with the established development pattern of the surrounding area. Surrounding zoning is a mix of “R-6” and “R-5” Residential Single-Family Districts.
3. **Suitability as Presently Zoned:** The current “R-6” Residential Single-Family District is appropriate zoning for the property and surrounding area. The proposed “IDZ-1” Limited Intensity Infill Development Zone for two (2) dwelling units is also appropriate. The property is located within proximity of several properties that are zoned with conditional uses which permit duplexes, triplexes, and multi-family densities. The prescribed site plan would prevent expansion of the building footprint and would ensure adequate parking is available for the two dwelling units. Deviation from the approved document could potentially warrant additional council consideration. Furthermore, the request aligns with the goals of the Strategic Housing Implementation Plan (SHIP) which supports the development of additional and alternate housing types to accommodate the City’s growing population, at all 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 objective. Relevant Goals and Policies from the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

- H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
- H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
- H P30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Policies from the Eastside Community Area Plan may include:

- Goal 1: Community Stability and Inclusion
  - o Diverse housing options will be available for current and future generations.
  - o Residents will feel comfortable and able to afford to remain in their neighborhoods throughout all stages of life.
  - o Residents and businesses will maintain and enhance neighborhood character in order to provide stability to the area.
- Strategy 2.4: Support rezoning requests that would add residential dwelling units to or within existing structures, to encourage the preservation and rehabilitation of existing buildings and housing stock.
- Housing Recommendation #1: Support diverse infill housing and reinvestment in existing dwellings that reflect historic pedestrian-oriented development patterns.
  - o Strategy 1.2: Allow additional dwellings or secondary uses on lots with existing buildings, to support the preservation of the existing buildings and increase opportunities for housing options that are affordable to different residents.

**6. Size of Tract:** The subject property is 0.1148 acres, which could reasonably accommodate dwelling units.

**7. Other Factors:** 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 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 applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses for a proposed two (2) dwelling units.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.