



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 15, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700194

(Associated Plan Amendment Case PA-2024-11600067)

**SUMMARY:**

**Current Zoning:** "R-4 EP-1 MLOD-3 MLR-2" Residential Single-Family Facility Parking/Traffic Control Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District

**Requested Zoning:** "RM-4 EP-1 MLOD-3 MLR-2" Residential Mixed Facility Parking/Traffic Control Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 15, 2024

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

**Property Owner:** LouAnn Gonzalez

**Applicant:** LouAnn Gonzalez

**Representative:** LouAnn Gonzalez

**Location:** 222 Corliss

**Legal Description:** Lot 6, Block 8, NCB 10246

**Total Acreage:** 0.1435 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 37

**Registered Neighborhood Associations within 200 feet:** Coliseum Willow Park Neighborhood Association

**Applicable Agencies:** Martindale Army Air Field, Planning Department

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 15765, dated October 17, 1951, and 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" Residential Single-Family District.

### **Code & Permitting History:**

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 inclusion in a floodplain.

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

**Direction:** North

**Current Base Zoning:** R-4

**Current Land Uses:** Residential Dwellings

**Direction:** South

**Current Base Zoning:** R-4, NC

**Current Land Uses:** Residential Dwellings, Grocery Store, Church

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Residential Dwellings

**Direction:** West

**Current Base Zoning:** R-4

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

### **Overlay District Information:**

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

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.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Corliss

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Claver Street

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 26, 225

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

**Parking Information:** The minimum parking requirement for Dwelling – 4 Family development is 1.5 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-4” Residential Single-Family District allows for 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.

Proposed Zoning: “RM-4” Residential Mixed District allows for single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or within ½ a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of “R-4 CD” Residential Single-Family with a Conditional Use for two (2) dwelling units.

**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 Area Community Plan, adopted in 2024, and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “RM-4” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Medium Density Residential”. Staff and Planning Commission recommend Denial.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. Surrounding properties are “R-4” Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing "R-4" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "RM-4" Residential Mixed District is not. The proposed zoning is to develop four (4) dwelling units, a density not consistent with abutting properties. Many of the surrounding properties currently benefit from the “B” to “R-4” Conversion, permitting a duplex. Thus, staff recommends an Alternate Recommendation of “R-4 CD” Residential Single-Family with a Conditional Use for two (2) dwelling units. This maintains a single-family base zoning district and allows for no more than two (2) units on the property. Amending the request to two (2) units also negates the need for a Plan Amendment but does require a Site Plan.
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 appear to conflict with public policy. Relevant Goals and Policies of the Eastside Community Area Plan may include:
  - Goal 1: Community Stability and Inclusion
    - o Residents and businesses will maintain and enhance neighborhood character in order to provide stability to the area.
  - Higher density multi-family uses, where practical, should be located in proximity to transit facilities.
6. **Size of Tract:** The subject property is 0.1435 acres, which cannot reasonably accommodate the proposed residential development.
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.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single family use, the height is restricted to the maximum height of the single family district within 50 feet of the property line.

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.