



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 16, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2023-10700361 CD

**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:** "R-5 CD MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield 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 21, 2024. This case was continued from April 16, 2024 and May 7, 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, from “MF-33” Multi-Family District 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”

**Current Land Uses:** Single Family Dwellings

**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:**

None

**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:** 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: "R-5 CD" Residential Single-Family District allows for a 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.

The "CD" Conditional Use would allow 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 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 Government Hill Neighborhood Plan, adopted October 2010, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-5” base zoning district is consistent with the 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 “R-5 CD” Residential Single-Family District with a Conditional Use for two (2) dwelling units is also appropriate. It aligns with surrounding development pattern by retaining the single-family base zoning, while allowing for the consideration of one additional unit. 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.

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Relevant Goals and Policies from the Government Hill Neighborhood Plan may include:

- Housing Goal: Conserve, rehabilitate and/or replace (if necessary) housing stock.
- Land Use/Revitalization Goal: Redevelop and revitalize the neighborhood.
- Objective: To encourage and support any revitalization and redevelopment efforts consistent with this plan.

**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 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 applicant is rezoning for two (2) dwelling units.

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 maintains the residential base district but 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.

