



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 19, 2022

**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-2022-10700074

**SUMMARY:**

**Current Zoning:** "C-2 EP-1 MLOD-3 MLR-2" Commercial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 19, 2022

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** Marco Antonio De La Torre & Margarita B. De La Torre

**Applicant:** Marco Antonio De La Torre

**Representative:** Marco Antonio De La Torre

**Location:** 1007 Poinsettia Street

**Legal Description:** Lot 18, Block 4, NCB 9545

**Total Acreage:** 0.1578

**Notices Mailed**

**Owners of Property within 200 feet:** 29

**Registered Neighborhood Associations within 200 feet:** Harvard Place/ Eastlawn

**Applicable Agencies:** Martindale Army Airfield

**Property Details**

**Property History:** This subject property is part of the original 36 square miles and originally zoned "F" Local Retail District. Under the Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "F" Local Retail District converted to the current "C-2" Commercial District.

**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-4

**Current Land Uses:** Residential Dwelling

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Residential Dwelling

**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 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.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** Poinsettia

**Existing Character:** Local

**Proposed Changes:** None Known

While not indicated by the City Public Works map, upon site visits a portion of North Mel Walters Way was closed for repairs from Gulf Street to Gorman Street, 1 block from the property.

**Thoroughfare:** North Rio Grande

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA Bus Routes are within walking distance of the subject property  
Routes Served: 24

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502. A TIA Report is not required.

**Parking Information:** The minimum parking requirement for a single-family dwelling is 1 space per unit.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: C-2 districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

Proposed Zoning: 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.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Fort Sam Houston Regional Center and within the East Houston Street 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 Arena District/Eastside Community Plan and is currently designated as “Medium Density Residential/ Mixed Use” in the future land use component of the plan. 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. The proposed use is consistent with the established development pattern of the surrounding area. While many of the properties are zoned “C-2” Commercial District they are developed with single-family residential homes.
3. **Suitability as Presently Zoned:** The existing “C-2” Commercial District is not an appropriate zoning for the property and surrounding area. The proposed rezoning to “R-4” Residential Single-Family zones the property for its current use as a home. Surrounding properties currently zoned “C-2” that are being used as residential homes and could benefit from an area rezoning.
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 proposed rezoning does not appear to conflict with the following goals, principals, and objectives of the Arena District/Eastside Community Plan: • Objective 1.1 New home construction - 25-50 homes per year • Objective 2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment
6. **Size of Tract:** The 0.1578 acre site is of sufficient size to 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 JB SA were notified of the proposed request. The Military has indicated that there are no objections to this request. The applicant is rezoning in order to remodel the house. The request to rezone to “R-4” Residential Single-Family appropriately zones the property for its current use as a single-family home.