



City of San Antonio

Agenda Memorandum

Agenda Date: November 3, 2022

In Control: City Council Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2022-10700155

SUMMARY:

Current 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

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 6, 2022

Case Manager: Kellye Sanders, Senior Planner

Property Owner: CHR Development at SA, LLC

Applicant: Delgado Engineering

Representative: Robert Delgado

Location: 1659 Gorman Street

Legal Description: Lot 15, Block 12, NCB 6632

Total Acreage: 0.2009

Notices Mailed**Owners of Property within 200 feet:** 27**Registered Neighborhood Associations within 200 feet:** Harvard Place Eastlawn**Applicable Agencies:** Fort Sam Houston, Martindale Army Airfield**Property Details**

Property History: The subject property was located within the original 36 square miles of the City of San Antonio 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 was converted to the current "R-4" Residential Single-Family 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:** R-4**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** R-4**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** R-4**Current Land Uses:** Residential Dwelling**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: N/A

Transportation**Thoroughfare:** Gorman Street**Existing Character:** Local**Proposed Changes:** None Known**Thoroughfare:** North Mel Walters Way**Existing Character:** Collector**Proposed Changes:** None Known**Public Transit:** There is public transit within walking distance.**Routes Served:** 24 and 222**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 Dwelling – 4 Family is 1.5 per unit. The maximum parking limit for Dwelling – 4 Family is 2 per unit.**ISSUE:**

None.

ALTERNATIVES:

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

Subject property is within ½ a mile from Fort Sam Regional Center and within ½ a mile from the Commerce-Houston Premium Transit Corridor and the New Braunfels Avenue Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial. Zoning Commission 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" in the future land use component of the plan. The requested "RM-4" base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff finds 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 which is zoned "R-4" Residential Single-Family District and largely developed Residential Single-Family units.
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 brings higher density in comparison to the surrounding area and is not an appropriate zoning for the property. The subject property already permits a duplex with proper permitting, by Section 35-D101(j) Duplexes in former 1938 "B" Zoning District. Notwithstanding any provision of this chapter to the contrary, two-family (duplex) residences are a permitted use for any tract or parcel zoned under the 1938 districts as "B" prior to the adoption date of this chapter so long as such tract is in the same configuration and so long as such tract is not the subject of rezoning in accordance with the provisions of this chapter and remains zoned "R-4" Residential Single-Family.
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 any public policy objective of the Arena District/Eastside Community Plan.

Guiding Principles 2

2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations

2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment

Land Use Goal 4

4.1 Conserve existing neighborhoods

6. **Size of Tract:** The 0.2009 acre site is of sufficient size to accommodate the proposed residential four (4) unit development.
7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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 applicant intends to convert the existing single-family building into two (2) units and construct two (2) new residential dwelling units. Although the property is allowed a duplex as a result of the “B” to “R-4” conversion, the applicant is proposing four (4) units.

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.