



City of San Antonio

Agenda Memorandum

Agenda Date: July 18, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

Zoning Case Z-2023-10700127 CD

SUMMARY:

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

Requested Zoning: "R-6 CD MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for three (3) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: July 18, 2023

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Susanne and Oscar Escobar

Applicant: Susanne Escobar

Representative: Susanne Escobar

Location: 5826 Shadow Way

Legal Description: Lot 9, Block 001, NCB 15877

Total Acreage: 0.1263

Notices Mailed

Owners of Property within 200 feet: 31

Registered Neighborhood Associations within 200 feet: There is no registered Neighborhood Association within 200 feet.

Applicable Agencies: Martindale Army Airfield and Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 15877, dated December 26, 1972, and zoned Temporary "R-1" Single Family Residential District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary "R-1" Single Family Residential District converted to the current "R-6" 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: "C-3" and "I-1"

Current Land Uses: Corporate office

Direction: East

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Dwelling

Direction: South

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Dwelling

Direction: West

Current Base Zoning: "R-6"

Current Land Uses: Single-Family 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 "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:** Shadow Way**Existing Character:** Local**Proposed Changes:** None Known**Thoroughfare:** Stoneshire**Existing Character:** Local**Proposed Changes:** None Known**Public Transit:** There is no public transit within walking distance of the subject property.**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.**Parking Information:** The minimum parking requirement for three (3) family dwelling is 1.5 per unit. The maximum parking requirement for three (3) family dwelling is 2 per unit.**ISSUE:**

None.

ALTERNATIVES:

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

The "CD" Conditional Use would allow three (3) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located with the Fort Sam Houston Regional Center but is not within ½ a mile from any Premium Transit Corridor

RECOMMENDATION:**Staff Analysis and Recommendation:** Staff recommends Denial.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
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 and introduces a density not already established in the neighborhood. All properties in the area are “R-6” Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The requested “R-6 CD” Residential Single-Family District with a Conditional Use for three (3) dwelling units is not an appropriate zoning for the property and surrounding area. The proposed density is incompatible with the established development pattern of single-family residences on separate lots. The subject property is located at a dead-end street with limited parking and is not of sufficient size to accommodate three (3) dwelling units.
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/does not appear to conflict with any public policy objective of the SA Tomorrow Comprehensive Plan.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan include:

- 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 5: High-density housing choices are available within the city’s 13 regional centers and along its arterial and transit corridors.

6. **Size of Tract:** The 0.1263-acre site is not 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 JBSA were 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 to develop three (3) dwelling units for long-term rental.