



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 5, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2023-10700078

(Associated Plan Amendment PA-2023-11600022)

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-3 MLR-2" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

**Requested Zoning:** "IDZ-2 MLOD-3 MLR-2" Medium Intensity Infill Development Zone Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with uses permitted for thirty (30) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 9, 2023. This case was continued from the July 18, 2023 hearing.

**Case Manager:** Elizabeth Steward, Zoning Planner

**Property Owner:** Christian Hernandez

**Applicant:** Alvin G Peters

**Representative:** Alvin G Peters

**Location:** 327 Chickering Avenue

**Legal Description:** Lot 57E, Block 7, NCB 7524 and Lot 6 and 7, Block 5, NCB 7526

**Total Acreage:** 1.152

**Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** Pasadena Heights Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1256, dated August 2, 1944. The property was zoned by Ordinance 11760, dated April 27, 1950, to "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District converted to "MF-33" Multi-Family District. The property was rezoned by Ordinance 2009-12-03-0993, dated December 3, 2009, 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:** R-6

**Current Land Uses:** Drainage Easement

**Direction:** South

**Current Base Zoning:** R-6

**Current Land Uses:** Single Family Residence

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Single Family Residence

**Direction:** West

**Current Base Zoning:** R-6

**Current Land Uses:** Single Family Residence

**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.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** Chickering Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 30, 28, 230

**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 multifamily dwelling is 1.5 spaces per unit. "IDZ-2" waives the minimum parking requirement by 50%. At 30 units, the required parking would be 23 spaces.

**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: "IDZ-2" Medium Intensity Infill Development District allows rezoning requests up to 50 units per acre, and uses permitted in "C-2" and "O-1.5". All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The "IDZ-2" would allow thirty (30) dwelling units.

**FISCAL IMPACT:**

None.

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

The property is not located within a half mile of any Premium Transit Corridors or Regional Centers.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of "IDZ-1" with uses permitted in "MF-18" Limited Density Multi-Family District.

**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 SA Tomorrow Southeast Community Area Plan and is currently designated as "Urban Low Density Residential" in the future land use component of the plan. The requested "IDZ-2" base zoning district is not consistent with

the future land use designation. The applicant has requested a Plan Amendment to “Medium Density Residential”. Planning Commission recommendation is pending the August 9, 2023 hearing.

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.
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 “IDZ-2” Medium Intensity Infill Development Zone District with uses permitted for thirty (30) dwelling units is not an appropriate zoning for the property and the surrounding areas. The greatest density that can be found in the area is a six (6) unit and a twelve (12) unit complex developed approximately twenty years ago. The request brings in a density three times larger than existing developments within the immediate neighborhood.

The subject property is approximately 50,181 square feet, and with the current “R-6” Residential Single-Family zoning, the property could potentially be divided into eight (8) separate lots, allowing a main dwelling unit along with accessory detached dwelling unit on each lot, giving an overall density of sixteen (16) potential dwelling units. In effort to be more consistent with the existing residential development yet support the city’s Strategic Housing Implementation Plan to permit higher densities and a variety of housing types, staff recommends an Alternate Recommendation of “IDZ-1” Limited Intensity Infill Development Zone with uses permitted in “MF-18” Limited Intensity Multi-Family District. This would allow twenty-one (21) units which is more consistent with the character of the area. Additionally, with Staff’s Alternate Recommendation a Plan Amendment would not be needed.

4. **Health, Safety and Welfare:** Staff has 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 objectives of the SA Tomorrow Southeast Community Area Plan.
  - Recommendation #1 Maintain residential and nonresidential densities that are consistent with historic patterns, to strengthen and preserve established neighborhoods.
  - Recommendation #2 Establish appropriate buffers and transitions between neighborhoods and nonresidential areas.
6. **Size of Tract:** The 1.152 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The property is proposed for development of multifamily uses. The property is currently zoned “R-6” Residential Single-Family District, allowing for up to eight (8) units if replatted by current standards. The proposed rezoning would allow thirty (30) units.

Staff's Alternate Recommendation of "IDZ-1" Limited Intensity Infill Development Zone with uses permitted in "MF-18" Limited Intensity Multi-Family District would allow up to twenty-one (21) dwelling units.

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.