



City of San Antonio

Agenda Memorandum

Agenda Date: August 17, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2023-10700130 S

SUMMARY:

Current Zoning: "RM-4 HL MLOD-3 MLR-2 AHOD" Residential Mixed Historic Landmark Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "RM-4 S HL MLOD-3 MLR-2 AHOD" Residential Mixed Historic Landmark Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Child Care Facility

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: July 18, 2023

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: Greater Corinth Baptist Church

Applicant: Ronnie Lott

Representative: Ronnie Lott

Location: 500 block of South New Braunfels Avenue

Legal Description: 2.661 acres out of NCB 1510

Total Acreage: 2.661

Notices Mailed

Owners of Property within 200 feet: 39

Registered Neighborhood Associations within 200 feet: Denver Heights Neighborhood Association

Applicable Agencies: Martindale Army Airfield, Office of Historic Preservation (OHP), Planning Department, Parks Department

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned “J” Commercial District and “C” Apartment District. The entire property was rezoned by Ordinance 79329, dated December 16, 1993) to “R-2” Two-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-2” Two-Family Residence District converted to the current “RM-4” Residential Mixed 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-2 NA" and "RM-4"

Current Land Uses: Restaurant and Residential Dwelling

Direction: East

Current Base Zoning: "RM-4"

Current Land Uses: Residential Dwelling

Direction: South

Current Base Zoning: "RM-4"

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: "RM-4"

Current Land Uses: Catholic School

Overlay District Information:

The “HL” Historic Landmark, “HS” Historic Significant or “HE” Historic Exceptional overlay district designation signifies the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property but do regulate the exterior aesthetic of the structure. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

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: S. New Braunfels Ave.

Existing Character: Primary Arterial B

Proposed Changes: None known.

Thoroughfare: Nevada St.

Existing Character: Local

Proposed Changes: None known.

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 20, 26, 225

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 Day Care Center is 1 space per 375 sf GFA. The maximum parking requirement for Day Care Center is 1.5 spaces per 375 sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "RM-4" Residential Mixed District permits 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.

Proposed Zoning: "RM-4 S" Residential Mixed District permits 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.

The "S" Specific Use Authorization will allow a Child Care Facility.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center and within ½ a mile from the New Braunfels Avenue Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 "Public Institutional" 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 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.
3. **Suitability as Presently Zoned:** The existing "RM-4" Residential Mixed District is an appropriate zoning for the property and surrounding area. The proposed "RM-4 S" Residential Mixed District with a Specific Use Authorization for a Child Care Facility is also an appropriate zoning. The rezoning maintains the base "RM-4" Residential Mixed District and the "S" Specific Use Authorization allows a Child Care Facility. The use of the property will remain a church and the rezoning adds the Child Care Facility. The rezoning requires a prescribed site plan. The proposed Child Care Facility will not adversely impact the established uses and would be compatible with the current uses and the surrounding area.
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 of the Arena District/Eastside Community Plan.

Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF Goal 6: Growth and city form support community health and wellness.
- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.

Relevant Goals and Policies of the Arena District Eastside Community Plan may include:

- 2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations.
- 2.6 Strengthen the community with additional gathering nodes and emphasize the places of significance.

- 6.4 Emphasize positive social and economic effects.

6. **Size of Tract:** The 2.661 acre site is of sufficient size to accommodate the proposed child care facility.
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.

This property is an individual local landmark, designated on January 18, 2018, among other Eastside Historic Churches. Any future exterior modifications or new construction will require written approval from the Office of Historic Preservation. Approval of a zoning change does not supersede any requirements for design review outlined in Article VI of the Unified Development Code.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is rezoning to develop a child care facility.