



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 4, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2023-10700371 CD

**SUMMARY:**

**Current Zoning:** “R-4 EP-1 MLOD-3 MLR-2” Residential Single-Family Facility Parking/Traffic Control Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District

**Requested Zoning:** “R-4 CD EP-1 MLOD-3 MLR-2” Residential Single-Family Facility Parking/Traffic Control Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use or two (2) dwelling units.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 5, 2024

**Case Manager:** Vincent Trevino; Senior Planner

**Property Owner:** Delafield Investments c/o Robert Prado

**Applicant:** Ziga Architecture Studio PLLC

**Representative:** Ziga Architecture Studio PLLC

**Location:** 1555 Paso Hondo

**Legal Description:** Lot 14, Block 36, NCB 6457

**Total Acreage:** 0.1710

### **Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Jefferson Heights

**Applicable Agencies:** Martindale/Fort Sam, Planning Department

### **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 converted to the current “R-4” Residential Single-Family District.

**Code & Permitting Details:** There is no code enforcement or permitting history for the subject property.

**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 Single-Family

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Residential Single-Family

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Residential Single-Family

**Direction:** West

**Current Base Zoning:** "R-4 CD"

**Current Land Uses:** Residential Single-Family with a Conditional Use for two (2) dwelling units

### **Overlay District Information:**

The “EP-1” 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:** Paso Hondo

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** North Rio Grande

**Existing Character:** Collector

**Proposed Changes:** None Known

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

**Routes Served:** 25, 202

**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 Dwelling-2 Family is 1.5 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: "R-4 CD" 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.

The proposed "CD" Conditional Use would allow two (2) dwelling units.

**FISCAL IMPACT:**

None

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

The property is not located within a Regional Center and within ½ mile from the Commerce-Houston Premium Transit Center.

**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, adopted in 2003, and is currently designated as Medium Density Residential 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. Surrounding properties are all zoned "R-4" Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing "R-4" Residential Single-Family is appropriate zoning for the property and surrounding area. The proposed "R-4 CD" Residential Single-Family with Conditional Use for two (2) dwelling units is also appropriate. This area benefits from the "B" to "R-4" conversion which would allow a duplex. The density is appropriate for the area and the required site plan will hold the applicant to the proposed layout of the two separate dwelling units. Any major changes to the site plan including increase in unit count, square footage of any building or flatwork will require additional rezoning consideration.
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. Relevant Goals and Guiding Principles from the Arena District Eastside Community Plan may include:
  - Land Use 2.2: Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment

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

  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
  - 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 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
6. **Size of Tract:** The 0.1710 acre site is of sufficient size to accommodate the residential development.
7. **Other Factors:** 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. Applicant is rezoning to develop two separate dwelling units.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses.

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 subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.