



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 20, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** City Council District 3

**SUBJECT:**

ZONING CASE Z-2023-10700296 CD

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for (4) four dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 20, 2024. This item was continued from February 6, 2024

**Case Manager:** Joseph Leos, Zoning Planner

**Property Owner:** Josetat Olguinio

**Applicant:** Josetat Olguinio

**Representative:** Josetat Olguinio

**Location:** 950 East Drexel Avenue

**Legal Description:** Lot 13, Block 27, NCB 3295

**Total Acreage:** 0.1932 acres

**Notifications**

**Notices Mailed:** 23

**Registered Neighborhood and Community Associations:** Highland Park Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield, Planning

**Property Details**

**Property History:** The property was part of 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” Commercial District.

**Code & Permitting Details:**

Building Investigation (INV-BLD-INV2X-XXXXXXXXXX) – Month, Year

Plumbing General Permit (MEP-PLM-PMT23-34335735) November 2023

MEP Trade Permits Application (MEP-TRD-APP23-33135735)- November 2023

Plumbing General Permit (MEP-PLM-PMT23-34332489)- November 2023

MEP Trade Permits Application (MEP-TRD-APP23-33132489) – October 2023

There is no code enforcement 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:** Single-Family Dwelling

**Direction:** South

**Current Base Zoning:** “R-4”

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

**Direction:** East

**Current Base Zoning:** “R-4”

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

**Direction:** West

**Current Base Zoning:** “R-4”

**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:** East Drexel Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** South Mittman Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 30, 230

**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 a four (4) family dwelling is 1.5 per unit. The maximum parking requirement for a four (4) family dwelling is 2 per unit.

**Proximity To Regional Center/Premium Transit Corridor:**

Subject property is located within ½ a mile from the New Braunfels Premium Transit Corridor

**ISSUE:** None

**ALTERNATIVES:**

Current Zoning: "R-4" 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" 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 "CD" Conditional Use would allow for four (4) dwelling units.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

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

**1. Consistency:** The subject property is located within the Southeast Community Area Plan adopted in 2022 and is currently designated as “Urban Low 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.

**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 “R-4 CD” Residential Single-Family District with a Conditional Use for four (4) dwelling units is also an appropriate zoning for the property and surrounding area. The request includes a prescribed site plan, which addresses different development aspects like parking and the layout of the four (4) units. The additional density is also consistent with the Strategic Housing Implementation Plan for diverse housing for all income levels.

**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 Plan.

### **Goal 3: Neighborhoods**

Maintain and improve the characteristics that make the neighborhoods of the Southeast Community Plan an enjoyable place to live, with special attention to walkability, open spaces, and sense of neighborhood identity.

### **Goal 4: Housing**

Provide a variety of high-quality, mixed-income housing options that are well-maintained, complementary to the character of existing neighborhoods, and accommodating to all stages of life.

### **Recommendation #1**

Maintain residential and nonresidential densities that are consistent with historic patterns, to strengthen and preserve established neighborhoods.

### **Recommendation #2**

Support reinvestment in neighborhoods and existing homes, especially older, single-family neighborhoods.

**6. Size of Tract:** The 0.1932 acre site is not of sufficient size to accommodate the proposed multi-family 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.

The applicant is rezoning to develop four (4) 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.

The property is proposed for development of multifamily uses that shall not exceed 33 units per acre. At 0.1932 acres, the applicant requests to build six (6) units.

The subject property does not qualify for a non-conforming status, as expansion of the structures occurred and has been vacant for a prolonged period of time.

The proposed rezoning maintains the residential base district but 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.