



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 16, 2024

**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-2023-10700346

(Associated Plan Amendment Case PA-2023-11600093)

**SUMMARY:**

**Current Zoning:** “R-4 MLOD-3 MLR-2” Residential Single-Family Martindale Army Airfield Military Lighting Overlay District

**Requested Zoning:** “MF-18 PUD MLOD-3 MLR-2” Limited Density Multi-Family Planned Unit Development Martindale Army Airfield Military Lighting Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 16, 2024. This case is continued from December 19, 2023.

**Case Manager:** Forrest Wilson, Principal Planner

**Property Owner:** Mint Development

**Applicant:** Mint Development

**Representative:** Ricardo Turrubiates

**Location:** Generally located in the 4000 block of Chandler Road

**Legal Description:** 3.168 acres out of NCB 10839

**Total Acreage:** 3.168 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 34

**Registered Neighborhood Associations within 200 feet:** Pecan Valley

**Applicable Agencies:** Martindale Army Air Field

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and originally zoned "A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001 the property zoned "A" Single-Family Residence District converted to "R-5" Residential Single-Family District. The property was then rezoned by Ordinance 2007-02-15-0199, dated February 15, 2007 to "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:** "MF-33", "MXD"

**Current Land Uses:** School

**Direction:** East

**Current Base Zoning:** "R-5"

**Current Land Uses:** Single-Family

**Direction:** South

**Current Base Zoning:** "R-5"

**Current Land Uses:** Single-Family

**Direction:** West

**Current Base Zoning:** "R-5"

**Current Land Uses:** Vacant

**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:**

The Planned Unit Development special district provides flexibility in development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties; while preserving natural amenities and features of a site and providing for a

minimum amount of open space. PUDs provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure; encourage infill projects and development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography. A site plan is required for a rezoning to “PUD” that will include the location of the uses. A zoning review is performed by the Zoning Section of the Development Services Department during the review of the plat and building permit.

### **Transportation**

**Thoroughfare:** Chandler Road

**Existing Character:** Local

**Proposed Changes:** None known

**Public Transit:** VIA bus stops are not within walking distance of the subject property.

**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 a single-family dwelling is 1 parking space per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current Zoning:** The “R-4” Residential Single-Family District accommodates a 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:** The “MF-18 PUD” Limited Density Multi-Family Planned Unit Development is to provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties. Multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

### **FISCAL IMPACT:**

None.

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

The subject property is not located within a regional center or premium transit corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Southeast Community Area Plan, adopted in 2022, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “MF-18 PUD” Limited Density Multi-Family Planned Unit Development is not consistent with the future land use designation. The applicant has requested a Plan amendment to “Urban Low Density Residential”. Staff recommends Approval. Planning Commission recommendation pending the January 10, 2024 hearing.
- 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 “MF-18 PUD” Limited Density Multi-Family Planned Unit Development is also appropriate for the area. The subject property is located within a residential area comprised predominantly of single-family properties. The proposed “MF-18 PUD” will provide an alternative housing type (duplexes) to the area at a density consistent with the surrounding development pattern. Additionally, the proposal aligns with the goals of the Strategic Housing Implementation Plan by providing additional housing stock to accommodate the City’s growing population.
- 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 Policies of the Comprehensive Plan may 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.Relevant Goals and Policies of the Southeast Community Area Plan may include:
  - Housing Recommendation #1: Attract a greater diversity of housing product types and options for existing and new residents, in all stages of life.
  - Housing Recommendation #2: Support reinvestment in neighborhoods and existing homes, especially older, single-family neighborhoods
- 6. Size of Tract:** The 3.168 acre site is of sufficient size to accommodate the proposed development.
- 7. Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The applicant is requesting to build 41 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 18 units per acre. At 3.168 acres, there could potentially be development of 57 units. The applicant is requesting to build 41 units.

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.