



City of San Antonio

Agenda Memorandum

Agenda Date: September 15, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2022-10700138

SUMMARY:

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

Requested Zoning: "IDZ-1 MLOD-3 MLR-2 AHOD" Limited Intensity Infill Development Zone Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted up to five (5) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 2, 2022

Case Manager: Kellye Sanders, Senior Planner

Property Owner: Alfredo Valenzuela

Applicant: Resco Residential & Commercial

Representative: Octavio Viramontes

Location: 237 Chickering Avenue

Legal Description: Lot 67, Block 6, NCB 7525

Total Acreage: 0.6799

Notices Mailed**Owners of Property within 200 feet:** 45**Registered Neighborhood Associations within 200 feet:** Pasadena Heights**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 and temporarily zoned "A" Single-Family Residence District. It was rezoned 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 was converted to "MF-33" Multi-Family District. It 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:** Vacant Green Space**Direction:** South**Current Base Zoning:** R-6**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** R-6**Current Land Uses:** Residential Dwelling & Church**Direction:** West**Current Base Zoning:** R-6**Current Land Uses:** Residential 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:

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

Transportation

Thoroughfare: Chickering Avenue

Existing Character: Local

Proposed Changes: None Known

Public Transit: There is public transit within walking distance.

Routes Served: 30 and 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: “IDZ-1” waives the minimum parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-Family permits 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-1” Limited Intensity Infill Development Zone allows rezoning requests up to 18 units per acre and uses permitted in “C-1” and “O-1”. 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 proposed “IDZ-1” would allow five (5) residential units.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center or within ½ a mile from a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate Recommendation of “RM-4” Residential Mixed District. Zoning Commission recommends Approval.

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

- 1. Consistency:** The subject property is not located within a Neighborhood, Community, or Sector Plan therefore a finding of consistency is based on existing and surrounding zoning and uses.
- 2. Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Adjacent properties are zoned "R-6" Residential Single-Family District and largely developed with residential single-family units and a single Church development. Although there is "MF-33" Multi-Family to the east of the property, it is established as an existing residential single-family unit. Also, the location of the subject property is a flag lot that sits interior of the block, surrounded by single-family units, not the corner or edge of blocks as usually designated for higher density or commercial uses.
- 3. Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-1" Limited Intensity Infill Development Zone District with uses permitted for five (5) dwelling units, brings higher density in comparison to the surrounding area and is not an appropriate zoning for the property. Therefore, staff recommends an Alternate Recommendation of "RM-4" Residential Mixed District.
- 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 objectives of the San Antonio Tomorrow Plan.
- 6. Size of Tract:** The 0.6799 acre site is of sufficient size to accommodate the proposed residential development.
- 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 JBSA were notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant started the rezoning with a request for seven (7) units. In working with the Commission and the neighborhood the applicant amended to five (5) units.

Staff's alternate recommendation of "RM-4" would allow up to four (4) units without platting. The large size of the subject property, 29,616 square feet, could be subdivided into four (4) lots with "R-6" Residential Single-Family square footage minimum. Which could potentially allow up to four (4) residential units with four (4) accessory dwelling units if the properties were owner occupied. The "RM-4" Residential Mixed District would allow much more density

if subdivided. The applicant has indicated that they will not be platting. Thus, the applicant is proposing only five (5) dwelling units with a prescribed site plan that are no more than 2-stories in height. Additionally, each unit will have a two (2) parking space carport for each unit.