



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 18, 2023

**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-2023-10700048 CD

**SUMMARY:**

**Current Zoning:** "R-6 NCD-9 AHOD" Residential Single-Family Westfort Alliance Neighborhood Conservation District Overlay Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD NCD-9 AHOD" Residential Single-Family Westfort Alliance Neighborhood Conservation District Overlay Airport Hazard Overlay District with a Conditional Use for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 18, 2023. This case was continued from April 4, 2023.

**Case Manager:** Camryn Blackmon, Zoning Planner

**Property Owner:** Gerlein Luis

**Applicant:** Gerlein Luis

**Representative:** Patrick W. Christensen, PC

**Location:** 285 Post Avenue

**Legal Description:** Lot 21 and the east half of Lot 20, Block 2, NCB 3594

**Total Acreage:** 0.282

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Westfort Alliance

**Applicable Agencies:** Fort Sam Houston Military

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “D” Apartment District. The property was rezoned by Ordinance 90004, dated June 24, 1999, to “R-1” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-1” Single-Family Residence District converted 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:** "MR"

**Current Land Uses:** Fort Sam Houston

**Direction:** East

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Single Family dwelling

**Direction:** South

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Multi-family unit

**Direction:** West

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

**Current Land Uses:** Multi-family unit

**Overlay District Information:**

The Westfort Alliance Neighborhood Conservation District (NCD-9) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

**Special District Information:**

None.

**Transportation****Thoroughfare:** Post Avenue**Existing Character:** None**Proposed Changes:** None Known**Thoroughfare:** Broadway**Existing Character:** None**Proposed Changes:** None Known**Public Transit:** There is public transit within walking distance of the subject property.**Routes Served:** 9, 209**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 three (3) dwelling units is 1.5 per unit. The maximum parking requirement for three (3) dwelling units 2 per unit.**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District allows 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: "R-6" Residential Single-Family District allows 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.

The "CD" Conditional Use would allow three (3) dwelling units.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Midtown Regional Center and within ½ a mile from the Austin Highway 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 Midtown Area Regional Center Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “R-6” 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 zoned “RM-4” Residential Mixed District and “MR” Military Reservation District.
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 rezoning to “R-6 CD” Residential Single-Family District with a Conditional Use for three (3) dwelling units is also appropriate for the property. The subject property is in a neighborhood with varying residential densities and zoning designations and will allow for more housing options in the area. The request is also consistent with the goals and objectives of the Strategic Housing Implementation Plan for additional density to support the growing San Antonio population and to address the various levels of economic housing need.
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 Midtown Area Regional Center Plan.

**Relevant Goals and Policies of the SA Tomorrow 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.

**H Goal 3:** Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

**H Goal 6:** Infill development and revitalized neighborhoods provide a range of housing choices near the city center.

6. **Size of Tract:** The 0.282-acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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 three dwelling units.