



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 19, 2022

**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-2020-10700078

**SUMMARY:**

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 19, 2022

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** Admiral HB LLC

**Applicant:** Matthew Jordan

**Representative:** Christina Alaniz

**Location:** 1108 North Center Street

**Legal Description:** Lot 3 and the East 20.9 feet of Lot 2, Block H, NCB 1379

**Total Acreage:** 0.2064 Acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 51

**Registered Neighborhood Associations within 200 feet:** Jefferson Heights and Dignowity Hill

**Applicable Agencies:** Martindale Army Airfield and Fort Sam Houston

### **Property Details**

**Property History:** The subject property was part of the original 36 sq/miles of the City of San Antonio, and originally zoned "C" Apartment District. The property was rezoned by Ordinance 70785 December 14, 1989 to "R-7" Small Lot Home District. Under the 2001 Unified Development Code established by Ordinance 93881, dated May 03, 2001, the property zoned "R-7" Small Lot Home District the current "R-4" Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Residential Dwelling

**Direction:** South

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

**Current Land Uses:** Residential Dwelling

**Direction:** East

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

**Current Land Uses:** Residential Dwelling

**Direction:** West

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

**Current Land Uses:** Residential Dwelling

### **Overlay District Information:**

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.

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:** Center Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 20, 24, 25, 222

**Traffic Impact:** Preliminary Review Only– Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part of the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

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 multifamily dwelling is 1.5 spaces per unit.

## **ISSUE:**

None.

## **ALTERNATIVES:**

**Current Zoning:** “R-4” Residential Single-Family district allows dwellings (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 dwellings (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 three (3) dwelling units.

## **FISCAL IMPACT:**

None.

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

The subject property is within a ½ mile of the Commerce- Houston Premium Transit Corridor and within a ½ mile of the New Braunfels Ave Premium Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. 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 located within the Arena District/Eastside Community Plan is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested base zoning of “R-4” is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use adds more density than that is consistent with the development pattern of the area. There are currently no properties zoned “R-4” Residential Single-Family District with a conditional use for 3 units in the area or surrounding the site.
3. **Suitability as Presently Zoned:** The current “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-4” Residential Single-Family District with a conditional use for 3 units is not appropriate for the neighborhood which is primarily single-family residences zoned “R-4” Residential Single-Family. Additionally, the property is smaller in size and located inside the block.
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 proposed rezoning does appear to conflict with the following goals, principles, and objectives of the Arena District/Eastside Community Plan:  
Goal 2. Land Use Guiding Principles
  - Establish a land use pattern that is responsive to the existing context and is founded on realistic market expectations.
  - Respect existing natural systems and maximize their benefit to the plan.
6. **Size of Tract:** The subject property is 0.2064 acres, which could reasonably accommodate residential development.
7. **Other Factors:** The applicant is requesting “R-4 CD” base zoning designation with a conditional use for 3 dwelling units to obtain a permit for an additional dwelling unit. The proposed rezoning permits a maximum of three (3) residential dwelling units, with a minimum lot size of 4,000 sq/ft and a minimum width of 15 feet.

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.