



# City of San Antonio

## Agenda Memorandum

**File Number:**20-5744

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**Agenda Item Number:** 15.

**Agenda Date:** 10/6/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2020-10700199 CD

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "R-5 CD MLOD-3 MLR-1" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for a Transitional Home

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 6, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Emmanuel African Methodist Church

**Applicant:** Crosspoint, Inc.

**Representative:** Brown & Ortiz, P.C.

**Location:** generally located in the 1500 block of Semlinger Road

**Legal Description:** 2.89 acres out of NCB 12886

**Total Acreage:** 2.89 acres

**Notices Mailed**

**Owners of Property within 200 feet:**

**Registered Neighborhood Associations within 200 feet:** Dellcrest Area Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation, Martindale Army Airfield

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned Temporary "A" Single Family Residential District. The previous Temporary "A" zoning district converted to the current "R-5" Residential Single-Family District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001.

**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-5" and "C-3NA"

**Current Land Uses:** Single-family dwellings

**Direction:** East

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

**Current Land Uses:** Single-family dwellings, church

**Direction:** South

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

**Current Land Uses:** Single-family dwellings, church

**Direction:** West

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

**Current Land Uses:** Single-family dwellings

### **Overlay and Special District Information:**

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" 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.

### **Transportation**

**Thoroughfare:** Semlinger Road

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There is one VIA bus route within walking distance of the subject property.

**Route Served:** 28

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a transitional home is 0.3 spaces per resident plus 1 space for each employee.

**ISSUE:** None.

## **ALTERNATIVES:**

**Current:** The current “R-5” Residential Single-Family District provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed “R-5” Residential Single-Family District provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

The proposed “CD” would allow for consideration of a transitional home.

**FISCAL IMPACT:** None.

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

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

## **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 Eastern Triangle Community Plan and is currently designated as “Public Institutional” and “High Density Mixed Use.” The requested “R-5” 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 request maintains the base “R-5” Residential Single-Family zoning district.

### **3. Suitability as Presently Zoned:**

The current “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The zoning request maintains the base zoning. The Conditional Use (CD) allows consideration of a Transitional Home for women and babies as part of an existing church.

### **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 not appear to conflict with the following goals, principles, and objectives of the Eastern Triangle Community Plan:

- “High Density Mixed use includes well planned and integrated blend of higher density residential with retail, office, entertainment, and other land uses on adjacent lots, or integrated into one structure.”

- “A well-maintained community with a diverse housing stock that meets the needs of current and future residents through all stages of life”
- Goal 14: Enhance neighborhood awareness, education, and cooperation

#### **6. Size of Tract:**

The subject property is 2.89 acres, which could reasonably accommodate residential use and a transitional home.

#### **7. Other Factors:**

The subject property is located within the Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA 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 following conditions shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.