

Alternative Compliance	3800 Block of Hwy 123
AC-21-01	Residential Garage Requirements



Summary

Request:	An Alternative Compliance request to allow a deviation to the residential garage parking requirements.		
Applicant:	Chris Weigand Vantage at San Marcos LLC 7334 Blanco Road, Ste 200 San Antonio, TX 78216	Property Owner:	Vantage at San Marcos LLC 7334 Blanco Road, Ste 200 San Antonio, TX 78216
Alternative Compliance Expiration:	The Alternative Compliance shall not expire.		

Notification

Posted:	N/A	Personal:	February 11, 2021 and March 5, 2021 (Appeal)
Response:	None as of date of Staff Report		
Published: (Appeal)	February 28, 2021		

Property Description

Legal Description:	12.5 acre tract, more or less, out of the J.F. Geister Survey, No 6 and No 7, Hays County		
Location:	3800 Block of Hwy 123		
Acreage:	12.5 acres	Central Business Area:	No
Existing Zoning:	Character District 2.5 (CD-2.5)	Preferred Scenario:	Low Intensity and Medium Intensity
Existing Use:	Vacant	Proposed Use:	Single Family
CONA Neighborhood:	N/A	Sector:	N/A
Utility Capacity:	Developer is responsible for extending utilities.		

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	Character District-4 (CD-4)	Agricultural / Rural	Low Intensity / Medium Intensity
South of Property:	Single Family-6 (DF-6)	Cottonwood Creek Residential Neighborhood	Low Intensity
East of Property:	ETJ	Agricultural / Rural	Low Intensity
West of Property:	ETJ / Future Development (FD)	Church / Public	Medium Intensity

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Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/> Approval with Conditions	Denial
Staff recommends <u>approval</u> of the request with the following conditions:		
<ol style="list-style-type: none"> 1. In no case shall the garage be the front most protrusion of the house, but the garage may be flush with the front most protrusion of the house. For the purposes of this condition, a front porch is considered a protrusion of the house; 2. When the façade of the house is flush with the garage, the front door may be recessed no more than 3’ from the façade. 3. A covered front porch shall be required on a minimum of 50% of the homes. The front porch shall be a minimum of 6 feet of clear space in all directions (no obstruction from porch posts) and shall have a minimum area of 50 square feet. 4. The total width of the garage door (including any center column between two garage doors) shall not exceed more than 55% of the width of the house. 5. A single overhead garage door shall not exceed 16’ in width. If two overhead garage doors are proposed, each garage door shall not exceed 8’ in width; 6. Garage doors shall include architectural trim along the top and sides of the garage; 7. An ornamental light fixture shall be provided flanking the doors; 8. Garage doors shall include windows on 25% of the homes within the subdivision; 9. Garage doors shall include an overhang such as an eyebrow overhang, awning, or trellis that overhangs a minimum of 12 inches over the garage doors; 10. A 4’ concrete pedestrian sidewalk shall be provided connecting the main entrance of the home to the public sidewalk along the street. The pedestrian sidewalk shall be separated from the driveway. 11. The Alternative Compliance shall not expire. 		
Staff: Andrea Villalobos, AICP, CNU-A	Title : Planning Manager	Date: February 25, 2021

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Commission Recommendation

Approval as Submitted

Approval with Conditions / Alternate

Denial

Planning and Zoning Commission Meeting: February 23, 2021

Speakers in favor or opposed:

1. Chris Weingand (in favor)

Recommendation from the Planning and Zoning Commission meeting held February 23, 2021:

A motion was made by Commissioner Haverland, seconded by Commissioner McCarty, to approve AC-21-01 with the staff recommended conditions. The motion failed with a 4-4 vote with Commissioners McCarty, Rand, Kelsey, and Moore dissenting.

A motion was made by Commissioner Rand, seconded by Commissioner Moore, to deny AC-21-01. The motion carried 5-3. Discussion from the Commission included the desire to not deviate from the adopted garage standards in the Development Code and to not set a precedence for such a deviation. In addition, the Commission discussed that the Development Code standards may need to be amended if Alternative Compliance requests continue to be pursued.

- **For:** (5) Chairperson Kelsey, Vice Chairperson Commissioner Spell, Commissioner McCarty, Commissioner Haverland, and Commissioner Moore
- **Against:** (3) Commissioner Spell, Commissioner Dillon, Commissioner Agnew
- **Absent:** (0)



History

The applicant is requesting Alternative Compliance to deviate from the Residential Garage Parking Standards that apply to Character District-2.5 (CD-2.5) zoning. A request to rezone the property to CD-2.5 was approved by the City Council in November 2020. A preliminary lot layout provided by the applicant indicates that approximately 61 residential lots are proposed on the property (see attached exhibit). However, a formal subdivision plat application has not yet been submitted for review.

Additional Analysis

Section 7.1.4.1(C) Residential Garage Parking Requirements, outlines that garage placement must match one of the following options: Semi-flush, recessed, side-loaded, detached, or alley-loaded (see attached excerpt from the code). The applicant has requested to deviate from the options provided in the code and has proposed an alternative design that allows for garages combined with front porches and other architectural elements (see the attached applicant narrative).

Staff worked with the applicant to create conditions and articulation standards that meet the intent of the code. The recommended conditions by staff aim to align the proposed homes closely with a "Semi-Flush" garage design. Additional enhancements are recommended by staff as indicated in the conditions in order to reflect comments from other departments. The applicant is in agreement with the proposed conditions recommended by staff. The below figures and example home images indicate how the alternative compliance will allow an alternative garage design.

This alternative compliance request will allow Figure 2, 3, and 4

(Code Requirement Semi-Flush)

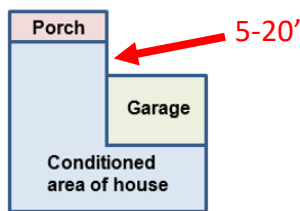


Figure 1

Garage must be set-back 5-20' from the front wall plane

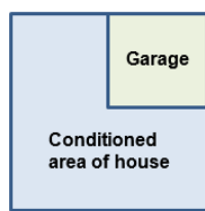


Figure 2

Garage is flush with the front wall plane

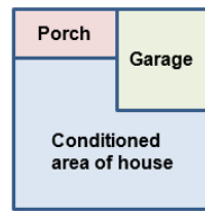


Figure 3

Garage is flush with the front protrusion, such as a porch

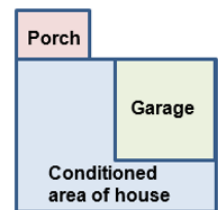


Figure 4

Garage is behind the front protrusion, such as a porch



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Comments from Other Departments

Police	<p>“Placement of the door on the side of a residence or behind the garage creates dark areas and hiding spots that burglars use to conceal their illegal activities. Front doors that are at the front of a dwelling and open do not offer areas of concealment.</p> <p>Open front door and porch areas offer more area for officers to work. Being confined to small narrow porches and doors creates a funneling effect for gunfire and is deadly for the officer having to work in such an area. The preferred open porch design allows officers to move away from gunfire and engage at different angles instead of head on.”</p>
Fire	<p>Fire commented that a pedestrian connection from the front door of the home to the sidewalk along the street would provide easier access for EMS first responders. Having hose lines, ventilation fans and other equipment placed in a recessed space could cause problems for Fire scene operations.</p>
Public Services	No Concerns
Engineering	No Concerns

Evaluation			Criteria for Approval (2.8.4.4)
Consistent	Inconsistent	Neutral	
		<u>X</u>	<p>The request is consistent with the policies embodied in the adopted Comprehensive Plan;</p> <p><i>While the use of a “House” building type within the CD-2.5 zoning district is consistent with Land Use, Goal 1 “Direct Growth, Compatible with Surrounding Uses”, the request for a deviation to the residential garage standards does not directly relate to any Comprehensive Plan goal.</i></p>
<u>X</u>			<p>The request is consistent with the general purpose, intent and character of the development regulations applicable to the property;</p> <p><i>See Criteria for Approval in Section 7.1.4.1 below.</i></p>
	<u>X</u>		<p>There are special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the subject property;</p> <p><i>None noted.</i></p>



Evaluation			Criteria for Approval (2.8.4.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The request is detrimental to the public health, safety or welfare, or injurious to other property within the area;</p> <p><i>If the request is approved, staff recommends that several conditions be added to address public health, safety, and welfare. Please reference Police and Fire Department comments for further background. Staff recommends that the garage shall not be located in front of the front façade of the house so as not to create a condition where the front entrance of a home is obscured (Condition #1). A garage that is in front of the front façade of a home reduces the natural citizen surveillance within the neighborhood and is more susceptible to criminalization due to limited observability. In addition, staff recommends adding a front porch to 50% of the homes to allow for safer entrances for pedestrians and, if necessary, allows for safer areas for police offers to enter (Condition #3). Staff added a condition that ensures that recessed entries are not provided on the home (Condition #2) and lastly, staff recommends that lights be added to either side of the garage doors for added safety (Condition #7).</i></p>
<u>X</u>			<p>The request either:</p> <ul style="list-style-type: none"> a. Does not have an adverse impact upon adjacent property or neighborhoods, including but not limited to, parking, traffic, noise, odors, visual nuisances, and drainage; or <p><i>With the staff recommended condition regarding the placement of the garage door and porch element, the visual appearance of the street will be more walkable and pedestrian-oriented (Condition #1-3).</i></p> <ul style="list-style-type: none"> b. Includes Improvements either on-site or within the public rights-of-way to mitigate any such adverse impacts. <p><i>Staff recommends that a 4' pedestrian walkway be added to connect the front door to the public sidewalk as recommended by the Fire Department (Condition #10).</i></p>
<u>X</u>			<p>The request shall not have the effect of preventing the orderly use and enjoyment of other property within the area in accordance with the provisions of this Development Code, or adversely affect the rights of owners or residents of adjacent property or neighborhoods;</p> <p><i>No adverse effects on surrounding properties or neighborhoods are noted.</i></p>



Evaluation			Criteria for Approval (2.8.4.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The request shall not result in any incompatibility of the development to which it relates with, or the character and integrity of, adjacent property or neighborhoods; and</p> <p><i>None noted.</i></p>
<u>X</u>			<p>The request meets the standards for the applicable zoning district, or to the extent deviations from such standards have been requested, that such deviations are necessary to render the subject development or Improvement compatible with adjacent development or the neighborhood.</p> <p><i>With the recommended conditions by staff, the request for deviations to the garage standards enhances the neighborhood in accordance with the intent statements provided in Section 7.1.4.1.</i></p>

Evaluation			Parking Location and Design Alternative Compliance Findings (Section 7.1.4.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>The approved alternate meets the intent of Section 7.1.4.1</p> <ol style="list-style-type: none"> 1. The intent of the private residential parking requirements is to minimize the visual impact of street-facing garage doors. <i>Staff recommends that the garage shall not be located in front of the front façade of the house unless the garage is flush with a covered front porch (Condition #1).</i> 2. Where garage doors can be seen from the street, measures should be taken to reduce the visual impact of the doors. <i>Staff recommends that conditions be added to reduce the visual impact of the door including, requiring that a percentage of the homes include a front porch (Condition #3), reducing the total width of the garage door in relation to the house (Condition #4), reducing the size of the garage doors (Condition #5), requiring light fixtures on either side of the doors (Condition #7), and adding articulation to the doors such as windows and overhangs (Condition #6-9).</i>



Evaluation			Parking Location and Design Alternative Compliance Findings (Section 7.1.4.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>3. Measures include garage doors set back from the front wall plane, architectural treatments, translucent garage doors, single doors, projecting elements over the garage doors (such as bay windows) and limits on the total number of doors that face the street.</p> <p><i>While the garage is not required to be setback from the front wall plane, staff recommends that the garage be flush with the wall plane or a front porch with added conditions (Condition #1-3).</i></p> <p>4. Private Residential Parking requirements enhance pedestrian circulation and safety in higher density developments or along high traffic streets.</p> <p><i>The Fire Department recommends that a pedestrian pathway be provided connecting the front door to the public sidewalk to allow for easier visibility and access to the front door (Condition #10). In addition, staff added a condition that would prohibit recessed entries in which the front door of a house is recessed or inset from the front façade (Condition #2). Recessed front doors can cause safety concerns as indicated by the Police Department comments.</i></p>
		<u>X</u>	<p>The approved alternate conforms with the Comprehensive Plan and adopted City plans;</p> <p><i>While the use of a “House” building type within the CD-2.5 zoning district is consistent with “Land Use, Goal 1, Direct Growth, Compatible with Surrounding Uses”, the request for a deviation to the residential garage standards does not directly relate to any Comprehensive Plan goal.</i></p>
<u>X</u>			<p>The approved alternate does not negatively impact pedestrian circulation and safety based on the density and adjacent street type;</p> <p><i>With the added conditions recommended by staff, safety and pedestrian circulation will be enhanced within the proposed development.</i></p>

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Evaluation			Parking Location and Design Alternative Compliance Findings (Section 7.1.4.1)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>Measures are taken to mitigate the visual impact of the garage design;</p> <p><i>Staff recommends that conditions be added to reduce the visual impact of the door including, requiring that a percentage of the homes include a front porch (Condition #3), reducing the total width of the garage door in relation to the house (Condition #4), reducing the size of the garage doors (Condition #5), requiring light fixtures on other side of the doors (Condition #7), and adding articulation to the doors such as windows and overhangs (Condition #6-9).</i></p>
<u>X</u>			<p>The required garage setbacks are met.</p> <p><i>The applicant is requesting to deviate from the required garage setbacks for a "Semi-Flush" condition which requires that garage doors must be positioned between 5 and 20 feet behind the front wall plane of the house. The applicant is requesting that the garage instead be flush with the front of the front wall plane of the house or flush with a porch.</i></p>