



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 5, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700148  
(Associated Plan Amendment PA-2024-11600058)

**SUMMARY:**

**Current Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District for three (3) dwelling units with an allowance of a fence height up to eight (8) feet

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Abetex Capital, LLC

**Applicant:** Rafael Saavedra

**Representative:** Trey Jacobson, Momentum Advisory Services

**Location:** 701 Virginia Boulevard

**Legal Description:** Lot 9, Block G, NCB 647

**Total Acreage:** 0.1014 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 44

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** Planning Department, Solid Waste Management

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "C" Apartment District. The property was rezoned by Ordinance 79329, dated December 16, 1993, and zoned "R-2" Two-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-2" Two-Family Residence District converted to the current "RM-4" Residential Mixed District.

### **Code & Permitting Details:**

Minor Plat - LAND-PLAT-24-11800193 – April 2024

Tree Affidavit Permit - TRE-AFF-PMT24-39001394 – June 2024

**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:** RM-4, MF-33

**Current Land Uses:** Single-Family Dwellings, Duplexes, Multi-Family

**Direction:** East

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Dwellings, Duplexes

**Direction:** South

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Dwellings, Duplexes

**Direction:** West

**Current Base Zoning:** RM-4, MF-33

**Current Land Uses:** Single-Family Dwellings, Duplexes, Multi-Family

### **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.

**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:** Virginia Boulevard

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** South Olive Street

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 28, 30, 230, 26, 225

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for three (3) dwelling units is 1.5 spaces per unit.

“IDZ-2” waives the minimum parking requirement by 50%.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "RM-4" Residential Mixed District permits Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

Proposed Zoning: "IDZ-2" Medium intensity Infill Development Zone allows rezoning requests up to 50 units per acre, and uses permitted in “C-2” and “O-1.5”. 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-2" would allow for three (3) dwelling units.

**FISCAL IMPACT:**

None

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

The 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 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 Eastside Community Area Plan, adopted in 2024, and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “IDZ-2” base zoning district is not consistent with the future land use designation. The applicant will require a Plan Amendment to “Medium Density Residential”. Staff recommends Approval. Planning Commission recommendation pending August 28, 2024, hearing.
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.
3. **Suitability as Presently Zoned:** The current "RM-4" Residential Mixed District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-2” Medium Intensity Infill Development Zone District with uses permitted for three (3) dwelling units is also appropriate. The proposed three detached units align with the surrounding density and appropriately located at a corner lot, allowing vehicular access from two sides for the additional units. The site plan prescribed by the “IDZ-2” base zoning designation will regulate various development aspects such as unit layout, size, and the layout of the parking, and deviation from the approved document could warrant additional City Council consideration. Furthermore, the proposal aligns with the goals of the Strategic Housing Implementation Plan (SHIP), which encourages the development of additional housing stock to accommodate the City’s growing population.
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. Relevant goals and objects of the 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 P30: Ensure infill development is compatible with existing neighborhoods.
  - H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

6. **Size of Tract:** The subject property is 0.1014 acres, which could reasonably accommodate three (3) dwelling units.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses and indicates three dwelling units on the property.

The proposed rezoning includes a request to allow an 8-foot fence along the front, side, and rear yards. This request can be permitted through the requested rezoning per 35-514 (c)(2)(D) of the Unified Development Code.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.

Solid Waste Management Comments: Based on site plan, the City may be able to provide waste collection services to the proposed 3 IDZ residential units. Residents would have to set carts out on Virginia Blvd. No structure or objects that could impede automated collection is allowed within five (5) feet of the curb. Carts are 2.5' wide and must have 3' of clearance around each cart and other objects. Please note that dense, compact developments such as IDZs usually have vehicles parked on the street that prevent the City from providing waste collections. Reference Solid Waste City Ordinance Chapter 14 and IB-576 requirements.