



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 19, 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-2024-10700142

**SUMMARY:**

**Current Zoning:** "AE-2 EP-1 MLOD-3 MLR-2 AHOD" Arts and Entertainment Facility Parking/Traffic Control Overlay Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "R-4 EP-1 MLOD-3 MLR-2 AHOD" Residential Single-Family Facility Parking/Traffic Control Overlay Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 EP-1 MLOD-3 MLR-2 AHOD" Limited Intensity Infill Development Zone Facility Parking/Traffic Control Overlay Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2024. This case was continued from July 16, 2024.

**Case Manager:** Bronte Frere

**Property Owner:** Mahmoud D. Rafati

**Applicant:** Mahmoud D. Rafati

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** 2603 East Commerce Street and 500 and 506 Belmont

**Legal Description:** Lot 1, Lot 2, Lot 15, and Lot 16, Block 11, NCB 1434

**Total Acreage:** 0.5975 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 38

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** Martindale Air Field, Fort Sam Houston, Planning Department

**Property Details**

**Property History:** The subject properties were located within the original 36 square miles of the City of San Antonio and zoned “F” Local Retail District and “B” Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “F” Local Retail District converted to “C-2” Commercial District and the property zoned “B” Residence District converted to the current “R-4” Residential Single-Family District. The commercial section was rezoned by Ordinance 2008-12-04-1128, dated December 4, 2008, to “AE-2” Arts and Entertainment District.

**Code & Permitting Details:**

There is no relevant code enforcement or permitting history for the subject property.

**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:** “R-4”

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

**Direction:** South

**Current Base Zoning:** “AE-2”

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

**Direction:** East

**Current Base Zoning:** “R-4,” “AE-2”

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

**Direction:** West

**Current Base Zoning:** “R-4,” “AE-2”

**Current Land Uses:** University Center, Park, Community Center, Single-Family Dwellings

**Overlay District Information:**

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and

traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

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.

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:** East Commerce

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** None known.

**Thoroughfare:** Belmont

**Existing Character:** Local Road

**Proposed Changes:** None known.

**Thoroughfare:** North Walters Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known.

**Public Transit:** There are no VIA bus routes within a ½ mile of the subject property.

**Traffic Impact:** "IDZ-1" waives the requirement for a Traffic Impact Analysis.

**Parking Information:** The minimum parking requirement for a self service laundromat is 1 space per 300 square feet GFA and the maximum parking requirement is 1 space per 200 square foot GFA. The minimum and maximum parking requirements for other commercial uses will depend on the use. Minimum parking requirements can be found in the Unified Development Code Section 35-526. Parking and Loading Standards.

"IDZ-1" waives the minimum parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “AE-2” Arts and Entertainment District encourages development patterns that support existing arts and entertainment venues while promoting the creation of additional venues and supporting uses.

“R-4” Residential Single-Family District permits single-family dwelling (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: “IDZ-1” Limited Intensity Infill Development Zone allows rezoning requests up to 18 units per acre, and uses permitted in “C-1” and “O-1”. 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-1" base zoning district is to allow for "C-1" uses.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within a ½ mile of the Commerce-Houston 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 June 2024, and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “IDZ-1” Limited Density Infill Development Zone with uses permitted in “C-1” 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.
3. **Suitability as Presently Zoned:** The existing “AE-2” Arts and Entertainment District and current “R-4” Single-Family Residential District are appropriate zonings for the property and surrounding area. The proposed “IDZ-1” Limited Density Infill Development Zone with uses permitted in “C-1” is also appropriate. The applicant is proposing to develop lower intense retail and commercial shops that can service the surrounding residential neighborhood. The subject property is also appropriately placed at the intersection of two arterial streets that can accommodate traffic and not negatively impact the established residences.

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 public policy objectives. Relevant goals and policies of the Comprehensive Plan may include:
  - GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
  - GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

Relevant goals and objectives of the Eastside Community Area Plan may include:

- Land Use Recommendation #1: Support mixed-use centers and corridors that complement neighborhoods, support transit service, provide employment opportunities, and protect cultural assets.
  - Land Use Recommendation #3: Site designs and land uses should support walking, transit use, and spending time outside in mixed-use centers and corridors.
6. **Size of Tract:** The 0.5975-acre site is of sufficient size to accommodate the proposed multi-family development.
  7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

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.

The subject property is located within the Fort Sam Houston 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.