



City of San Antonio

Agenda Memorandum

Agenda Date: August 17, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2023-10700026

SUMMARY:

Current Zoning: "RM-4 MLOD-3 MLR-2 AHOD" Residential Mixed Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "IDZ-2 MLOD-3 MLR-2 AHOD" Medium Intensity Infill Development Zone Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for six (6) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 2, 2023. This item was continued from the April 4, 2023, and April 18, 2023 hearings.

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: Fernando Agurcia

Applicant: Fernando Agurcia

Representative: Fernando Agurcia

Location: 135 Fuente Alley

Legal Description: Lot 10, Block 3N, NCB 2955

Total Acreage: 0.1894

Notices Mailed

Owners of Property within 200 feet: 42

Registered Neighborhood Associations within 200 feet: Denver Heights

Applicable Agencies: Martindale Army Airfield, Planning Department

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned "B" Residence District. The property was rezoned by Ordinance 79329, dated December 16, 1993 to "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.

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: "RM-4"

Current Land Uses: Residential Dwelling

Direction: East

Current Base Zoning: "RM-4"

Current Land Uses: Vacant lot

Direction: South

Current Base Zoning: "RM-4"

Current Land Uses: Vacant lot

Direction: West

Current Base Zoning: "RM-4"

Current Land Uses: Vacant lot

Overlay District Information:

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: Fuente Alley

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Clark Avenue

Existing Character: Collector

Proposed Changes: None known.

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

Routes Served: 28

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: “IDZ-2” waives the minimum parking requirement by 50%. The minimum parking requirements for single-family dwelling is 1 per unit. There is no maximum parking requirement for single-family dwelling.

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 six (6) 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 Arena District/Eastside Community Plan and is currently designated as "Medium Density Residential" in the future land use component of the plan. The requested "IDZ-2" base zoning district 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 "RM-4" Residential Mixed District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-2" Medium Intensity Infill Development Zone with uses permitted for six (6) dwelling units is also an appropriate zoning for the property and surrounding area. The property is currently undeveloped and abuts other properties zoned "RM-4". The area currently accommodates comparable residential densities on lots placed and sized similarly to the subject property. Given the subject property's size, the proposed six (6) residential dwelling units will not increase the established density and aligns with the goals of the Strategic Housing Implementation Plan.
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 objective. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - GCF Policy 14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding higher-density development.
 - Housing 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.
 - Housing Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
 - Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals from the Arena District/Eastside Community Plan may include:

- Land Use 2.2: Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment.
- Land Use 4.1: Conserve existing neighborhoods.

6. **Size of Tract:** The 0.1894 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The applicant intends on developing six (6) dwelling units on an 8,250 square foot lot.

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.