



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 3, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2023-10700206

**SUMMARY:**

**Current Zoning:** "RM-4 MLOD-3 MLR-2 AHOD" Residential Mixed Martindale Army Air Field 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 Air Field 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:** October 3, 2023. This case was continued from September 19, 2023.

**Case Manager:** Camryn Blackmon, Zoning Planner

**Property Owner:** Ion Homes & Resort USA c/o Idowu Ntoka

**Applicant:** Ion Homes & Resort USA c/o Idowu Ntoka

**Representative:** Javier Yu

**Location:** 102 and 106 J Street

**Legal Description:** the north 100 feet of Lots 1 and 2, Block 9, NCB 1567

**Total Acreage:** 0.2296

**Notices Mailed**

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

**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.

**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:** "C-3R"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Concrete contractor

**Direction:** South

**Current Base Zoning:** "RM-4"

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

**Direction:** West

**Current Base Zoning:** "RM-4"

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

**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:** J Street

**Existing Character:** None

**Proposed Changes:** None Known

**Thoroughfare:** Clark Avenue

**Existing Character:** None

**Proposed Changes:** None Known

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

**Routes Served:** 28, 230

**Traffic Impact:** “IDZ” waives the requirement for a Traffic Impact Analysis.

**Parking Information:** “IDZ-2” waives the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “RM-4” Residential Mixed District allows 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 six (6) dwelling units.

**FISCAL IMPACT:**

None.

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

Subject property is not located within a Regional Center or is within ½ a mile from the 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 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 District with uses permitted for six (6) dwelling units is also an appropriate zoning for the property and surrounding area. The proposed density is consistent with the surrounding properties. The current RM-4 zoning district allows up to four (4) units on each individual lot the requested six (6) units is a reduction in the density currently permitted. Additionally, the request aligns with the goals of the Strategic Housing Implementation Plan (SHIP) to increase housing stock to meet the growing population needs.
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 Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF Policy 8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
- 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 Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
- Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Guiding Principles and Goals of the Arena District/Eastside Community Plan may include:

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

- 6. Size of Tract:** The 0.2296-acre site is of sufficient size to accommodate the proposed residential development.

## **7. Other Factors**

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 applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The applicant is requesting six (6) dwelling units.

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.