



# City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** April 16, 2024

**In Control:** Zoning Commission Meeting

---

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700068

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Air Field Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested 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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 16, 2024

**Case Manager:** Forrest Wilson, Principal Planner

**Property Owner:** Jose Talamantes

**Applicant:** Jose Talamantes

**Representative:** Development Services Department

**Location:** 409 Blaine Street

**Legal Description:** Lot 5, Block 31, NCB 1334

**Total Acreage:** 0.1173

**Notices Mailed****Owners of Property within 200 feet:** 35**Registered Neighborhood Associations within 200 feet:** Harvard Place Eastlawn**Applicable Agencies:** Martindale Army Air Field**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property converted to "MF-33" Multi-Family District. The property was then rezoned by Ordinance 2024-01-25-0039, dated January 25, 2024, to the current "R-4" Residential Single-Family District.

**Code & Permitting Details:**

COM-PRJ-APP23-39800046 - Complex Plans - Apartment Bldg. at 409 Blaine

ADDR-AVAA-23-10100069 - 409 Blaine -Multi Family -Customer Submitted COD

There is no code enforcement 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, C-2**Current Land Uses:** Vacant land, Single-Family, Convenience Store**Direction:** East**Current Base Zoning:** R-4**Current Land Uses:** Single-Family**Direction:** South**Current Base Zoning:** R-3**Current Land Uses:** Single-Family**Direction:** West**Current Base Zoning:** R-4, C-2**Current Land Uses:** Single-Family, Church**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.

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.

**Special District Information:**

None

**Transportation**

**Thoroughfare:** Blaine Street

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** North New Braunfels Avenue

**Existing Character:** Minor Secondary Arterial B

**Proposed Changes:** None known

**Public Transit:** VIA bus stops are within walking distance of the subject property.

**Routes Served:** 20

**Traffic Impact:** TIA report is not required.

**Parking Information:** The minimum parking requirement for a four-family dwelling is 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "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: "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.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center, but it is within 1/5 a mile from the IH-35 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, adopted December 2003, and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “RM-4” 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 “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “RM-4” Residential Mixed District is also suitable for the area as it aligns with the future land use designation and surrounding development pattern, which is primarily residential.
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 Policies of the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
  - 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 P18: Encourage housing to be built with, near or adjacent to retail uses.
  - H P30: Ensure infill development is compatible with existing neighborhoods.Relevant Goals and Policies of the Arena District Eastside Community Plan may include:
  - Land Use Vision: Existing neighborhoods are conserved and protected by appropriate adjacent and internal uses.
  - Land Use Guiding Principle 2.1: Establish a land use pattern that is responsive to the existing context and
    - is founded upon realistic market expectations.
  - Land Use Guiding Principle 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 0.1173 acre site is of sufficient size to accommodate the proposed development.

7. **Other Factors:** The subject property underwent a zoning change from “MF-33” Multi-Family District to “R-4” Residential Single-Family District as part of the Harvard Place-Eastlawn Large Area Rezoning approved by Ordinance 2024-01-25-0039, dated January 25, 2024. After the zoning change went into effect, staff was made aware of a pending building permit for a four (4) dwelling unit quadplex. Throughout the large area rezoning process, staff researched properties to identify any with active or pending building permits to exclude them from the rezoning. However, the permit for the subject property was not found. This zoning change request is intended to rezone the property to “RM-4” to allow for a four (4) unit residential dwelling.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single-family district within 50 feet of the property line.

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.