



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 15, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2022-10700214

**SUMMARY:**

**Current Zoning:** "R-4 EP-1 MLOD-3 MLR-2 AHOD" Residential Single-Family Facility Parking/Traffic Control Martindale Army Airfield 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 Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for four (4) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 6, 2022

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** Fernando Jose Aqurcia

**Applicant:** Fernando Jose Aqurcia

**Representative:** Fernando Jose Aqurcia

**Location:** 627 Belmont

**Legal Description:** Lot 21 and 22, Block 6, NCB 1424

**Total Acreage:** .2755

**Notices Mailed**

**Owners of Property within 200 feet:** 48

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

**Applicable Agencies:** Fort Sam and Martindale Army Airfield

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "B" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District.

**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:** Vacant

**Direction:** South

**Current Base Zoning:** R-4

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** R-4

**Current Land Uses:** Vacant

**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. 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.

**Special District Information:** N/A.

**Transportation**

**Thoroughfare:** Belmont

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 25, 225

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\* A TIA Report is not required.

**Parking Information:** The minimum parking for dwellings 4 family cluster is 1.5 space per unit

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-4" Residential Single-Family district allows dwellings (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 District 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" would allow four (4) dwelling units.

**FISCAL IMPACT:**

None.

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

The property is located within the Near Eastside Regional Center and is within a half 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 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-1” 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 requested “IDZ-1” Limited Intensity Infill Development Zone District with uses permitted for four (4) dwelling units is also an appropriate zoning for the property and surrounding area. The IDZ-1 for 4 units allows for increased density and diversity of housing types at a rate sustainable for the existing neighborhood, which is consistent with the Strategic Housing Implementation Plan. The property, due to its size and history benefits from the “B” District to “R-4” conversion which would allow up to 4 units, consisting of two (2) duplexes with proper replatting. The requested rezoning allows for an appropriate number of units without having to go through the replatting process.
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 objectives of the Arena District/ Eastside Community Plan.
  - 2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations
  - 2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment
  - 4.2 Recommend new medium density single family and high density multifamily residential neighborhoods near Salado Creek to supplement existing ones
6. **Size of Tract:** The 0.27 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The applicant is rezoning to build four (4) dwelling units. Although the property is allowed a duplex as a result of the “B” to “R-4” conversion, the applicant is proposing four (4) detached units. A duplex is attached and has a shared wall. The request results in the same density as allowed in the current zoning, if replatting was to occur and duplexes were constructed.

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 JB SA were notified of the proposed request. The Military has indicated that there are no objections to this request.

