



City of San Antonio

Agenda Memorandum

Agenda Date: May 16, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2023-10700094

SUMMARY:

Current Zoning: “RM-4 MLOD-3 MLR-2 AHOD” Residential Mixed Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 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 District with uses permitted for four (4) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 16, 2023

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Rafael Saavedra

Applicant: Rafael Saavedra

Representative: Emil R. Moncivais

Location: 2102 Martin Luther King Drive

Legal Description: Lot 6, Block 3, NCB 1527

Total Acreage: 0.145

Notices Mailed**Owners of Property within 200 feet:** 40**Registered Neighborhood Associations within 200 feet:** Denver Heights**Applicable Agencies:** Martindale Army, 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 "C" Apartment 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 floodplain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** "RM-4"**Current Land Uses:** Single-Family Dwelling**Direction:** East**Current Base Zoning:** RM-4**Current Land Uses:** Single-Family Dwelling**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: Martin Luther King Drive

Existing Character: Secondary Arterial B

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: 26,225

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: The minimum parking requirement for four (4) dwelling units is 1.5 per unit. The maximum parking requirement is 2 per unit.

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 District 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 permit for four (4) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center and but is within ½ a mile from the New Braunfels Ave 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. Most of the area is zoned “RM-4” Residential Mixed District.
3. **Suitability as Presently Zoned:** The existing “RM-4” Residential Mixed District is an appropriate zoning for the property and surrounding area. The requested “IDZ-2” Medium Intensity Infill Development Zone District with uses permitted for four (4) dwelling units is also an appropriate zoning. The property is currently undeveloped and is located around other properties zoned "RM-4" and “IDZ-2”. The area currently accommodates comparable residential densities on lots placed and sized similarly to the subject property. Even though the existing “RM-4” base zoning district permits four dwelling units, the Unified Development Code now requires the units to be attached for lots that are under a third of an acre. Applicant is requesting “IDZ-2” to allow four (4) detached structures. “IDZ-2” base zoning requires a prescribed site plan which indicates the use of the property and placement of structures. Any major amendments to the site plan will require additional zoning consideration.
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 and the SA Tomorrow Comprehensive Plan.

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

- 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 1: Conserve existing neighborhoods

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 P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
 - 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
 - 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 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center
6. **Size of Tract:** The 0.145 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 proposing four (4) dwelling units.