



# City of San Antonio

## Agenda Memorandum

**File Number:**21-3590

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**Agenda Item Number:** 7.

**Agenda Date:** 5/18/2021

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2021-10700045

**SUMMARY:**

**Current Zoning:** "RM-4 MLOD-3 MLR-2 AHOD" Residential Mixed Martindale 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 Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for 6 units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 18, 2021

**Case Manager:** Michael Pepe, Senior Planner

**Property Owner:** Eric J. Duxstad

**Applicant:** Eric J. Duxstad

**Representative:** Lee Imbimbo

**Location:** 123 and 131 Boudet Place

**Legal Description:** the South 50 feet of East 70 feet of Lot 1, North 100 feet of South 150 feet of East 70 feet of Lot 1 or 1A, Block 2, NCB 1528

**Total Acreage:** 0.241

## **Notices Mailed**

**Owners of Property within 200 feet:** 45

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

**Applicable Agencies:** Martindale Army Airfield

## **Property Details**

**Property History:** The property was a part of the original 36 square miles of the City of San Antonio and was originally zoned "C" Residence District. The property was rezoned from "C" to "R-2" Residence District by Ordinance 79329, dated December 16, 1993. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-2" 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:** Single-Family Dwellings

**Direction:** East

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

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

**Direction:** South

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

**Current Land Uses:** Vacant

**Direction:** West

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

**Current Land Uses:** Vacant

## **Overlay and Special District Information:**

**"AHOD"**

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**"MLOD-3"**

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale. The "MLOD-3" 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.

**"IDZ"**

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

## **Transportation**

**Thoroughfare:** Boudet

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes served: 26, 28, 225, 230

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

## **Parking Information:**

The parking requirement for a single-family home is 1 space per unit.

## **ISSUE:**

None.

## **ALTERNATIVES:**

**Current:** “RM-4” 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:** “IDZ-2” allows rezoning requests up to 50 units per acre and uses permitted in “C-2” Commercial District and “O-1.5” Midrise Office. 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.

In this specific request, six (6) units up to 4-stories in height, with only 50% required parking would be permitted per the submitted site plan.

## **FISCAL IMPACT:**

None.

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

The subject property is not located within a Premium Transit Corridor nor is it located within a regional center.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an alternate recommendation of “IDZ-1” with uses permitted in “MF-18” Limited Density Multi-family District.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the 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” is not consistent with the “Medium Density Residential” land use designation. The applicant has requested a Plan Amendment to “High Density Residential”. Staff recommends Denial. The Planning Commission recommendation is pending the May 26, 2021 hearing.

## **2. Adverse Impacts on Neighboring Lands:**

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested “IDZ-2” would be out of scale and character with the existing block. “IDZ-2” allows for height and intensity that could have visual and traffic impact on the existing single-family homes.

## **3. Suitability as Presently Zoned:**

The existing “RM-4” is an appropriate zoning for the property and surrounding area. Although the area is primarily zoned “RM-4” Residential Mixed District, it is developed with mostly single-family homes. The proposed “IDZ-2” would not be an appropriate zoning for the property and surrounding area. It is located within the interior of the block and is completely out of character with the surrounding single-family homes.

## **4. Health, Safety and Welfare:**

Staff has found indication of likely adverse effects on the public health, safety, or welfare.

## **5. Public Policy:**

The proposed Plan Amendment appears to conflict with the following Goals and Principles of the Arena District / Eastside Community Plan:

2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment

4.1 Conserve existing neighborhoods

The applicable Infill Development Zone criteria is as follows:

- The applicant’s request meets the Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.

## **6. Size of Tract:**

The subject property is 0.241 acres, which could reasonably accommodate the requested residential uses.

## **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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to the request.

The property is approximately 10,454 square feet, which could be platted into two (2) lots. Per the current zoning “RM-4” Residential Mixed District there could be up to eight (8) residential units.

The proposed zoning to “IDZ-2” with uses permitted for six (6) units decreases the current density by two (2) units but allows up to 4 stories and reduces parking by 50%.

Staff’s alternate recommendation of “IDZ-1” with uses permitted in “MF-18” allows a density of four (4) residential units but limits the stories to 2.5 stories and 35-feet and waives the parking requirements.