



City of San Antonio

Agenda Memorandum

Agenda Date: October 17, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2023-10700336

SUMMARY:

Current Zoning: “I-2” Heavy Industrial District, “I-1” General Industrial District, “C-3” General Commercial District, “C-2” Commercial District, “MF-33” Multi-Family District, “R-5” Residential Single-Family District.

Requested Zoning: “I-1” General Industrial District, “L” Light Industrial District, “C-2” Commercial District, “C-2 CD” Commercial District with a Conditional Use for Auto and Light Truck Repair, “C-2 CD” Commercial District with a Conditional Use for Bar/Tavern, “C-1” Light Commercial District, “MF-40” Multi-Family District, “RM-6” Residential Mixed District, “RM-5” Residential Mixed District, “RM-4” Residential Mixed District, “R-6” Residential Single-Family District, “R-5” Residential Single-Family District, “R-5 CD” Residential Single-Family District with a Conditional Use for two dwelling units, “R-5 S” Residential Single-Family District with Specific Use Authorization for Manufactured Home, “R-4” Residential Single-Family District, “R-4 CD” Residential Single-Family District with a Conditional Use for two dwelling units, “R-3” Single-Family Residential District, “R-2” Single-Family Residential District, “R-1” Single-Family Residential District, “IDZ-1” Limited Intensity Infill Development Zone with uses permitted in “NC” Neighborhood Commercial, and with all overlay districts of “MLOD-3” Martindale Army Military Lighting Overlay, “EP-1” Facility Parking/Traffic Control District, “HS” Historic Significant District, “HL” Historic Landmark District and “AHOD” Airport Hazard Overlay District remaining unchanged

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 17, 2024

Case Manager: Ashley Leal, Senior Planner

Property Owner: Multiple Owners

Applicant: Development Services Department

Representative: Development Services Department

Location: South Government Hill Large Area Rezoning

Legal Description: NCB A-42, 42, 494, 495, 991, 1186, 1187, 1193, 1194, 1196, 1197, 1198, 1199, 1201, 1202, 1203, 1204, 1205, 1207, 1214, 1215, 1215B, 1216, 1217, 1218, 1219, 1220, 1221, 1225, 1226, 1227, 1229, 1230, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1695, 2795, 3140, 3141, 01205, and 10126 generally bounded by IH 35 to the north, Austin Street to the West, and the Union Pacific Railroad Tracks to the South and East.

Total Acreage: Approximately 135 acres

Notices Mailed

Owners of Property within 200 feet: 393

Registered Neighborhood Associations within 200 feet: Government Hill Alliance
Neighborhood Association, Government Hill Tomorrow Community Organization

Applicable Agencies: Martindale Army Airfield, Fort Sam Houston

Property Details

Property History: The subject properties were part of the original 36 square miles of the City of San Antonio and most of the area was originally zoned “C” Apartment District, “L” First Manufacturing District, and “J” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned “C” Apartment District converted to “MF-33” Multi-Family District, properties zoned “L” First Manufacturing District converted to “I-2” Heavy Industrial District, and properties zoned “J” Commercial District converted to “I-1” General Industrial District.

Topography: The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial, Industrial

Direction: East

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial, Industrial

Direction: South

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial, Industrial

Direction: West

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial, Industrial

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" Military Lighting Overlay District is an overlay zoning district that establishes regulations for outdoor lighting impacting military operations within five (5) miles of the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, Lackland Air Force Base, and Martindale Army Air Field. Projects within the overlay boundary may require additional review.

The "EP-1" Overlay district is intended to regulate parking of vehicles in and around large facilities that attract large amounts of vehicular traffic.

The "HL" Historic Landmark, "HS" Historic Significant or "HE" Historic Exceptional overlay district designation signifies the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

Special District Information:

None.

Transportation

Thoroughfare: North New Braunfels, North Pine Street and North Walters Street

Existing Character: Principal (North New Braunfels), Local (all others)

Proposed Changes: None Known

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

Traffic Impact: TIA report is not required.

Parking Information: There is no parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “I-2” Heavy Industrial District, “I-1” General Industrial District, “C-3” General Commercial District, “C-2” Commercial District, “MF-33” Multi-Family District, “R-5” Residential Single-Family District.

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FISCAL IMPACT:

There is no fiscal impact.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject properties are located within ½ mile of the Fort Sam Houston Regional Center and Midtown Regional Center and is within ½ a mile from the New Braunfels Avenue Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval, with an Amendment for 710 Seguin and 714 Seguin to “L” Light Industrial District.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** Subject properties are located within the Eastside Community Area Plan, adopted June 20, 2024. The requested base zoning district changes are consistent with the adopted future land use designations.
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 uses are consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The properties in the subject area currently have a mix of residential, industrial, and commercial zoning. Many of these properties are zoned as “I-1” General Industrial District and “I-2” Heavy Industrial District, although they have been used

as single-family homes since before zoning districts were established. When the Unified Development Code was adopted in 2001, it converted the 1938 and 1965 zoning districts to the current ones, leading to non-conforming uses. The rezoning strategy involves fieldwork and data analysis by staff to recommend appropriate zoning based on the current use of the properties. Properties already zoned correctly for their current use were excluded from this strategy.

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 proposed large area rezoning does not conflict with the following goals and strategies of the Eastside Community Area Plan.

Goal 1: Community Stability and Inclusion

- Diverse housing options will be available for current and future generations.
- Residents will feel comfortable and able to afford to remain in their neighborhoods throughout all stages of life.
- Residents and businesses will maintain and enhance neighborhood character in order to provide stability to the area.
- Neighbors will feel safe and secure in their homes and out in the community.

Goal 2: Employment and Opportunity

- There will be more employment and entrepreneurial opportunities easily accessible by local residents in the Eastside Community Area.
- Negative side effects of economic growth, such as rental housing affordability issues, will be proactively minimized and mitigated.

Goal 3: History, Culture, and Art

- The cultural landscape, comprised of buildings, businesses, public spaces, and natural features will be valued and preserved.

6. **Size of Tract:** Approximately 135 acres
7. **Other Factors:** The goal is to align zoning with the current use of properties in the area. Throughout the past few decades many areas of the center city have had ongoing concerns regarding zoning inconsistencies. These inconsistencies were the result of the code conversion from the “old” zoning code, which utilized an A-J tiered system of zoning, to the new system we use today. This Large Area Rezoning project is meant to correct these nonconforming issues. Staff is recommending a change of zoning on 206 properties.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

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.