



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 8, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2024-10700094

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for one (1) dwelling unit

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 18, 2024

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** Menell Orosco

**Applicant:** Jose Sepulveda

**Representative:** Jose Sepulveda

**Location:** 124 East Cevallos Street

**Legal Description:** Lot B, NCB 2569

**Total Acreage:** 0.0839 acres

## **Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Lone Star Neighborhood Association

**Applicable Agencies:** Office of Historical Preservation, Solid Waste Department

## **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned “L” First Manufacturing District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “L” First Manufacturing District converted to “I-2” Heavy Industrial District. The property was rezoned by Ordinance 2006-12-14-1441, dated December 14, 2006, to the current “R-4” Residential Single-Family District.

### **Code & Permitting Details:**

Short Term Rental (STR) Permit Renewal (STR-22-13600048) February 2022

**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:** “I-2”

**Current Land Uses:** Warehouse, Parking Lot

**Direction:** East

**Current Base Zoning:** “NC IDZ”, “C-2NA IDZ”

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:** “R-4”, “IDZ”

**Current Land Uses:** Single-Family Dwellings, Parking lot

**Direction:** West

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Warehouse, Offices, Retail

### **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.

### **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:** East Cevallos Street

**Existing Character:** Minor

**Proposed Changes:** None

**Thoroughfare:** South Flores Street

**Existing Character:** Minor Secondary Arterial Type B

**Proposed Changes:** None

**Thoroughfare:** Nogalitos Street

**Existing Character:** Principal Secondary Arterial Type B

**Proposed Changes:** None

**Public Transit:** There is no public transit within walking distance of the subject property.

**Routes Served:** None

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for one (1) dwelling unit is 1 space per unit.

“IDZ-1” waives the minimum parking requirement.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "R-4" Residential Single-Family District allows for a 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: "IDZ-1" Limited Infill Development Zone 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 for one (1) dwelling unit.

**FISCAL IMPACT:**

None

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

The subject property is located within the Downtown Regional Center and is located within ½ a mile from the Rockport Subdivision Metro 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 Downtown Area Regional Plan, adopted in 2019, and is currently designated as “Urban Mixed Use” 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 current "R-4" Residential Single-Family District is an appropriate zoning district for the property and surrounding area. The proposed “IDZ-1” Limited Intensity Infill Development Zoning is also appropriate. The request to rezone is to allow for one dwelling unit. The proposed zoning is consistent with the existing residential uses within proximity which include a mix of “R-4” and “IDZ” base zoning districts.
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/does not appear to conflict with any public policy. Relevant goals and objects of the Comprehensive Plan may include:
  - 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 P30: Ensure infill development is compatible with existing neighborhoods.
  - H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

Relevant goals and policies of the Downtown Area Regional Plan may include:

- Goal 1: Preserve and Enhance Downtown’s Authenticity
  - Goal 4: Diversify the Mix of Uses in the Downtown Core
  - Goal 6: Broaden the Diversity of Housing Options throughout the Downtown Core and its Neighborhoods
6. **Size of Tract:** The subject property is 0.0839 acres, which could reasonably accommodate one (1) dwelling unit.

7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses and indicates one dwelling unit on the property.

If an "IDZ" zoned property abuts a single-family use or zone then the structure shall not exceed two and one-half (2.5) stories or thirty-five (35) feet in height if the structure is fifty (50) feet or less from the single-family use or zone.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a plan amendment does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.

The proposed rezoning is seeking additional density for use as residential dwelling units. 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.