



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 5, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2023-10700318

(Associated Plan Amendment Case PA-2023-11600081)

**SUMMARY:**

**Current Zoning:** "I-1 HS AHOD" General Industrial Historic Significant Airport Hazard Overlay District.

**Requested Zoning:** "MF-18 HS AHOD" Limited Density Multi-Family Historic Significant Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2023

**Case Manager:** Ashley Leal, Senior Planner

**Property Owner:** Julio Gonzalez Jr., Joann Gonzalez, Daniel J. Baca, and Bianca Baca

**Applicant:** Bianca Baca

**Representative:** Bianca Baca

**Location:** 1526 North Alamo Street

**Legal Description:** Lot 51 and the west 25 feet of Lot 56, NCB 984

**Total Acreage:** 0.1886 Acres

## **Notifications**

**Notices Mailed:** 32

**Registered Neighborhood and Community Associations:** Government Hill Alliance

**Applicable Agencies:** Fort Sam Houston, Planning Department, Office of Historic Preservation, Texas Department of Transportation

## **Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “K” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “K” Commercial District converted to the current “I-1” General Industrial District.

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

Electrical General Permit - MEP-ELE-PMT23-33315251 – May 2023

Plumbing Sewer Permit - MEP-SEW-PMT22-34815984 – June 2022

There is no relevant code enforcement history for the subject property.

**Topography:** The property contains a downward slope in the front of the property but is not located within a flood plain.

## **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “I-1”

**Current Land Uses:** Vacant Restaurant

**Direction:** East

**Current Base Zoning:** “MF-18”

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

**Direction:** West

**Current Base Zoning:** “I-1”

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

**Direction:** South

**Current Base Zoning:** “I-1”

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

### **Overlay District Information:**

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.

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:**

N/A

**Transportation**

**Thoroughfare:** North Alamo Road

**Existing Character:** Minor

**Proposed Changes:** None known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 20

**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 requirement for Multi-Family Dwelling is 1.5 per unit and maximum parking requirement is 2 per unit.

**Proximity To Regional Center/Premium Transit Corridor:**

The subject property is within the Midtown Regional Center and within ½ a mile from the Austin Highway Premium Transit Corridor.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

Proposed Zoning: "MF-18" Limited Density Multi-Family District permits multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Midtown Area Regional Center Plan, adopted June 2019, and is currently designated as Regional Mixed Use in the future land use component of the plan. The requested “MF-18” limited density multi-family base zoning district is not consistent with the future land use designation. Staff recommends Approval. Planning Commission recommendation pending the December 13, 2023 hearing.

**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 “I-1” General Industrial District is not an appropriate zoning for the property as it is inconsistent with the established development pattern of the surrounding area. The proposed “MF-18” Limited Density Multi-Family District is a much better suited zoning for the property and surrounding area. The subject property is surrounded by a mix of residential and multi-family uses, including single-family homes, and condominium lofts. The property includes a single-family house constructed in 1920, predating zoning regulations, which classifies it as an existing nonconforming structure. By maintaining consistency with the surrounding environment, the proposed residential zoning change promotes a sense of continuity and integration, reinforcing the identity of the neighborhood.

**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 objective. Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.
- 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.

Relevant Goals and Guiding Principles from the Midtown Area Regional Center Plan may include:

- Goal 4 – Support unique, mixed activity areas. Accommodate growth while preserving distinct characteristics of each part of Midtown and providing thoughtful transitions between uses.

**6. Size of Tract:** The 0.1886 acre site is of sufficient size to accommodate the proposed residential development.

**7. Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

This property is designated a local historic landmark (HS). Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation. Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code.

The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 0.1886 acres, there could potentially be development of 3 units.

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.