



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 6, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**  
ZONING CASE Z-2025-10700077

**SUMMARY:**

**Current Zoning:** “C-1 AHOD” Light Commercial Airport Hazard Overlay District

**Requested Zoning:** “IDZ-3 AHOD” High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and 32 dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 6, 2025

**Case Manager:** Eradio Gomez, Zoning Senior Planner

**Property Owner:** Matin Tabbakh, 220 Evergreen LLC

**Applicant:** 220 Evergreen LLC

**Representative:** Patrick Christensen

**Location:** 220 and 224 West Evergreen Street

**Legal Description:** on the west 100 feet of Lots 7-9 and the east 74.1 feet of Lots 7-8, and the east 74.1 feet of the north 13.4 feet of Lot 9, Block 24, NCB 374

**Total Acreage:** 0.596

### **Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community and San Antonio Texas District 1 Resident Association

**City-Wide Community Organizations:** Women in Film & Television San Antonio and San Antonio African American Community Archive and Museum

**Applicable Agencies:** Fort Sam Houston

### **Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "E" Office District. The property was rezoned by Ordinance 83331, dated December 14, 1995, to "B-1" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-1" Business District converted to the current "C-1" Light Commercial District.

**Code & Permitting Details:** There is no code enforcement of permitting history for the subject property.

**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:** R-6

**Current Land Uses:** San Antonio College Empowerment Center, Community College

**Direction:** South

**Current Base Zoning:** IDZ, R-6, C-1

**Current Land Uses:** Single-Family Dwellings, Attorney's Office

**Direction:** East

**Current Base Zoning:** IDZ

**Current Land Uses:** Outdoor Storage, Commercial Parking Lot

**Direction:** West

**Current Base Zoning:** IDZ, IDZ-3 for uses permitted 120 residential units, C-2

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

### **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:**

NA

**Transportation**

**Thoroughfare:** West Evergreen Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Lewis Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** West Laurel Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Howard Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 90, 3, 4, 5, 8, 9, 95, 96, 97, 289, 296

**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 multi-family dwelling units is 1.5 spaces per unit, and the maximum parking requirement is 2 spaces per unit. "IDZ-3" waives the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-1" Light Commercial District accommodates neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

Proposed Zoning: "IDZ-3" High Intensity Infill Development Zone Districts allows rezoning requests of unlimited density, and uses permitted in "C-3", "O-2" and "I-1". All approved uses and maximum density 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 “IDZ-3” request is to allow uses with uses permitted in "C-2" Commercial District and 32 dwelling units.

**FISCAL IMPACT:**

None.

**PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW**

**COMPREHENSIVE PLAN:**

Subject property is located within the Midtown Regional Center and is within ½ a mile from the San Pedro 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 Midtown Area Regional Center Plan, adopted October 2000, and is currently designated as “Regional Mixed Use” in the future land use component of the plan. The requested “IDZ-3” 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. Surrounding properties are “IDZ” Infill Development Zone, “IDZ-3” High Intensity Infill Development Zone District with uses permitted 120 residential units and “C-2” Commercial District.
- 3. Suitability as Presently Zoned:** The existing “C-1” Light Commercial District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-3” High Intensity Infill Development Zone District with uses permitted in "C-2" Commercial District and 32 dwelling units is also appropriate. The subject property is located within proximity to other properties zoned for multi-family use to the west and south. Additionally, the property is appropriately situated within ½ a mile of the San Pedro Metro Premium Transit Corridor providing public transportation for potential residents. The rezoning to “IDZ-3 High Intensity Infill Development Zone District request requires a prescribed site plan that cannot be changed without further public review. The proposed zoning is also consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city’s growing population at all income levels.
- 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. Relevant Goals and Policies of the Midtown Area Regional Center Plan may include:
  - **Goal 2:** Housing Preserve and revitalize the neighborhoods' unique mix of quality housing.
  - **Goal 2:** Community Appearance and Safety Promote a safe, clean, and livable environment for area residents and future generations, while preserving the traditional character of the Midtown neighborhoods.
6. **Size of Tract:** The 0.596-acre site is of sufficient size to accommodate the proposed mixed use development.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code.

The subject property is located within the Fort Sam Houston 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 this request.

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.

The City may be able to provide waste collection services to new residential IDZ developments that have sufficient vehicle access to allow large Automated Side Load trucks (ASLs) to safely collect waste bins from the curb. Access requirements can be found in the Solid Waste City Ordinance Chapter 14 (Sec. 14-10, Sec. 14-25 and Sec. 14-26) and IB-576. Once a development is completed, the owner, manager, HOA or property management may call the Solid Waste Management Department to request an assessment to determine eligibility. If the development is not eligible for City waste services, it is recommended the developer be prepared to procure waste and/or dumpster services from a private waste hauling business.