



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 7, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2023-10700287 (Associated Plan Amendment PA-2023-10700084)

**SUMMARY:**

**Current Zoning:** "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District and "I-2 MLOD-2 MLR-2 AHOD" Heavy Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for a Hotel and one-hundred and fifty (150) dwelling units and "IDZ-3 MLOD-2 MLR-2 AHOD" High Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted for a Hotel and one-hundred and fifty (150) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 7, 2023

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** PPGE Alamo, LLC

**Applicant:** PPGE Alamo, LLC

**Representative:** Killen, Griffin, and Farrimond, PLLC

**Location:** 1025 South Frio Street

**Legal Description:** 1.968 acres

**Total Acreage:** the east 338.98 feet and the west 164.14 feet Lot 3, Block 102, NCB 274

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** Historic Westside Residents

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "L" First Manufacturing District was converted to the current "I-2" Heavy Industrial District.

**Code & Permitting Details:**

Nonconforming Use Rights Application (ZONING-NCU-APP-2020-11200055 )- April, 2020

Oak Wilt Violation (INV-COM-INV23-22703716)- July, 2023

**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:** "I-2" "MF-33 IDZ"

**Current Land Uses:** Apartments

**Direction:** South

**Current Base Zoning:** "C-2NA"

**Current Land Uses:** County elections warehouse

**Direction:** East

**Current Base Zoning:** "I-1", "R-4"

**Current Land Uses:** Paint retailer, Residential Dwellings

**Direction:** West

**Current Base Zoning:**

**Current Land Uses:** Shredding service facility

**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-2" Lackland Military Lighting Overlay District 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.

**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:** South Frio Street

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

**Thoroughfare:** Vera Cruz Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** South Medina Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

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

**Routes Served:** 62, 67, 68, 275

**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 development is 1.5 spaces per unit. The minimum parking requirement for a hotel is 1 space per room.

The IDZ-3 base zoning district waives the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** The heavy industrial district allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling.

Proposed Zoning: “IDZ-3” High Intensity Infill Development Zone District 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.

If approved, the uses permitted would be for a hotel and 150 dwelling units.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Downtown Regional Center and is within a ½ mile of the Rockport Subdivision Metro Premium Transit Corridor.

**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 approval criteria below.

1. **Consistency:** The subject property is located within the Downtown Area Regional Center Plan, adopted in December 2019, and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “IDZ-3” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Mixed Use”. Staff’s recommendation is pending, and Planning Commission’s recommendation is pending the November 15, 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 current “I-2” Heavy Industrial District is not an appropriate zoning for the property and surrounding area. While there are some light industrial uses in the vicinity of the subject area, the “I-2” Heavy Industrial District is generally reserved for areas that accommodate the highest intensity industrial uses. The proposed “IDZ-3” High Intensity Infill Development Zone District with uses permitted for a hotel and 150 dwelling units is appropriate for the subject property. The proposed uses align with the established residential development pattern to the east and north. There are many established public transportation options, as well as civic services in proximity to the property; with respect to the residential properties and those that accommodate civic services, the proposed zoning could prevent the property from being occupied by industrial uses that would create hazardous and inappropriate land use transitions. Furthermore, the proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages diverse housing options for 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 objectives of the SA Tomorrow UTSA Area Regional Center Plan:
  - Goal 1: Preserve and Enhance Downtown's Authenticity
    - Grow and evolve in meaningful ways that encourage attachment between people and places.
  - Goal 4: Diversify the Mix of Uses in the Downtown Core
    - Encourage new and renovated buildings to incorporate a mix of uses.
    - Encourage the development of vacant lots in the city center with a geographically balanced mix of uses.
  - Goal 5: Leverage and enhance Downtown's Reputation as a Destination for Hospitality and Tourism
    - Create new and enhance existing destinations to provide additional cultural and entertainment opportunities for residents and visitors alike.
    - Create complementary uses that engage both visitors and residents.
6. **Size of Tract:** The subject property is 1.968 Acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to "IDZ-3" High Intensity Infill Development Zone District to utilize the existing hotel, and to develop 150 dwelling units.

The subject property is located within the Lackland AFB 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 applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential and commercial uses. The proposed 150 dwelling units is compliant with the "IDZ-3" base zoning district, which permits unlimited residential density.

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.