



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 15, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2024-10700227

**SUMMARY:**

**Current Zoning:** "C-1 H HS AHOD" Light Commercial King William Historic Overlay Historic Landmark Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 H HS AHOD" Limited Intensity Infill Development Zone King William Historic Overlay Historic Landmark Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-4" Residential Mixed District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 15, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** RTJM, LLC

**Applicant:** Cotton Estes

**Representative:** Cotton Estes

**Location:** 1210 South Alamo Street

**Legal Description:** 0.125 acres out of NCB 937

**Total Acreage:** 0.125 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** King William Neighborhood Association, San Antonio Texas District One Resident Association

**Applicable Agencies:** Office of Historic Preservation

### **Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. The property was rezoned by Ordinance 74924, dated December 9, 1991, 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:** "C-2," "RM-4," "IDZ"

**Current Land Uses:** Law Office, Coffee Shop, Nurse Practitioner, Single-Family Dwellings

**Direction:** South

**Current Base Zoning:** "C-1," "RM-4"

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

**Direction:** East

**Current Base Zoning:** "C-1," "C-3"

**Current Land Uses:** Law Firm, Beer Garden, Single-Family Dwellings

**Direction:** West

**Current Base Zoning:** "C-1," "RM-4," "C-2 NA"

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

### **Overlay District Information:**

The King William Historic District, is an overlay district which was adopted in 1968. This district does not regulate use of the property but does enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. 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:**

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 Alamo Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known.

**Thoroughfare:** Wickes 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:** 46, 51, 246, 251.

**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 a professional office is 1 parking space per employee. The minimum parking requirement for a single-family dwelling or an accessory dwelling is 1 parking space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: C-1” Light Commercial Districts accommodate 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-1” Limited Intensity Infill Development Zone District 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 applicant is requesting uses for an office space and a dwelling unit.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Downtown Regional Center and within ½ a mile from the Rockport Subdivision 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 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-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. Surrounding properties are “C-1” Light Commercial District, “C-2” Commercial District, “C-2 NA” Commercial Non-Alcoholic Sales District, “C-3” General Commercial District, RM-4” Residential Mixed District, and “IDZ” Infill Development Zone.
- 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-1” Limited Intensity Infill Development Zone with uses permitted in "C-1" Light Commercial District and "RM-4" Residential Mixed District is also an appropriate for the property and surrounding area. The proposed “IDZ-1” permits commercial and residential uses, both of which are found in the surrounding area. The request will add residential uses, typically not exclusively permitted in “C-1” Light Commercial District, reintroducing living spaces in the predominately residential neighborhood. The land use also supports the Strategic Housing Implementation Plan which encourages additional housing for the growing San Antonio 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 appear to conflict with any public policy objectives of the Downtown Area Regional Center Plan. Relevant Goals and Policies of the Plan may include:
  - Housing Recommendation #1:** Continue to use under-utilized public lands to support housing growth, provide for affordable housing options, and catalyze new development in focus areas and mixed-use corridors.
  - Housing Recommendation #2:** Support housing growth in the Downtown Area by creating a diversity of housing options in mixed-use areas and accommodating additional

housing in neighborhoods and transition areas through context sensitive design and small scale infill.

**Land Use Recommendation #1:** Create transitions in scale and intensity between Downtown and surrounding areas to encourage greater integration of these areas with Downtown.

6. **Size of Tract:** The 0.125-acre site is of sufficient size to accommodate the proposed residential and commercial development.
7. **Other Factors:** The zoning change request is to repurpose the owner's backyard from a parking space to developing a small structure that can be used for an office meeting space and eventually an apartment for visiting family and guests.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential and commercial uses. The property is proposed for development of multifamily uses that shall not exceed 11 units per acre. At 0.125 acres, there could potentially be development of 4 units. The applicant is request to build 1 unit.

This property is located within the King William Historic District. Any new construction will require approval from the Office of Historic Preservation. Approval of a site plan or materials submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Office of Historic Preservation for work on this property. Additionally, based on the submitted site plan, there may be conflicts with the Historic Design Guidelines and the proposed project.

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.