



City of San Antonio

Agenda Memorandum

Agenda Date: April 3, 2025

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2025-10700008

SUMMARY:

Current Zoning: "C-1 CD H AHOD" Light Commercial Lavaca Historic Airport Hazard Overlay District with a Conditional Use for Used Automobile Sales

Requested Zoning: "IDZ-1 H AHOD" Limited Intensity Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted for two (2) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 4, 2025

Case Manager: Eradio Gomez, Zoning Senior Planner

Property Owner: Darryl Ohlenbusch

Applicant: Darryl Ohlenbusch

Representative: Darryl Ohlenbusch

Location: 612 Labor Street

Legal Description: Lot 28, Block 1, NCB 2957

Total Acreage: 0.143

Notices Mailed

Owners of Property within 200 feet: 36

Registered Neighborhood Associations within 200 feet: Lavaca and San Antonio Texas District One Residents Association

City-Wide Community Organizations: Women in Film & Television San Antonio, and Lifeline Overeaters Anonymous Community Organizations

Applicable Agencies: Office of Historic Preservation, Solid Waste Management

Property Details

Property History: The subject property was part of the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. The property was rezoned by Ordinance 74934, dated December 9, 1991, to "B-1" SUP Business District for a used automobile sales. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-1 SUP" Business District converted to "C-1 CD" Light Commercial District with a Conditional Use for Automobile sales. The property was rezoned by 99338, dated June 10, 2004, from "C-1 CD" Light Commercial District with a Conditional Use for Automobile Sales to the current "C-1 H CD" Light Commercial Lavaca Historic District with a Conditional Use for Automobile Sales.

Code & Permitting History:

There is no code enforcement or 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: IDZ, R-5, R-6

Current Land Uses: Residential Dwellings, Convenience Store

Direction: South

Current Base Zoning: C-1 CD, R-5

Current Land Uses: Empty Commercial Building, Residential Dwellings

Direction: East

Current Base Zoning: IDZ, R-5

Current Land Uses: Residential Dwellings

Direction: West

Current Base Zoning: R-6, RM-4, C-2NA

Current Land Uses: Residential 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.

The Lavaca Historic District is an overlay district which was adopted in 2001. 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.

Special District Information:

NA

Transportation

Thoroughfare: Labor Street

Existing Character: Collector

Proposed Changes: None Known

Thoroughfare: Devine Street

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Leigh Street

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 32, 232

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 dwelling unit is 1 space per unit, and the maximum parking requirement is 2 per unit.

The "IDZ-1" base zoning district would waive the minimum parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "C-1 CD" 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.

The CD is for a Conditional Use for Automobile Sales.

Proposed Zoning: "IDZ-1" Limited Intensity Infill Development 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 "IDZ-1" base zoning district would allow for two (2) dwelling units.

FISCAL IMPACT:

None.

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

The subject property is located within the Downtown Regional Center but is not within ½ a mile of a Metro Premium Plus 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 Center Plan, adopted October 2019, and is currently designated as "Neighborhood 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 "IDZ" Infill Development Zone District for uses permitted for seven (7) dwelling units, "C-1 CD" Light Commercial District with a Conditional Use for Automobile Sales, and "C-2NA" Commercial Non-Alcoholic Sales District.
3. **Suitability as Presently Zoned:** The existing "C-1 CD" Light Commercial District with a Conditional Use for Automobile Sales is an appropriate zoning for the property and surrounding area. The proposed "IDZ-1" Limited Intensity Infill Development Zone District for two (2) dwelling units is also appropriate. The requested change of zoning is to correct the zoning and match the existing duplex on site. The development will be held to a prescribed site plan, and any deviation from the approved site plan could warrant additional Council consideration.

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 public policy. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan:
 - GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - GCF Policy 8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.Relevant Goals and Objectives from the Downtown Area Regional Center Plan may include:
 - Goal 1: Preserve and Enhance Downtown's Authenticity.
 - Goal 4: Diversify the Mix of Uses in the Downtown Core.
6. **Size of Tract:** The subject property is 0.143 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses.

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.

This property is located within the Lavaca Historic District. Any future exterior modifications or new construction will require written approval from the Office of Historic Preservation. Approval of a zoning change does not supersede any requirements for design review outlined in Article VI of the Unified Development Code.

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.