



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 5, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2023-10700017

**SUMMARY:**

**Current Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "R-4" Residential Single-Family District

**Requested Zoning:** "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2024

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** EKRE, LLC

**Applicant:** Kamaljeet Singh Kahlon

**Representative:** Eliza Long

**Location:** 708 North Colorado Street

**Legal Description:** South 45.7 feet of the north 86.3 feet of Lot 13, Block 4, NCB 2211

**Total Acreage:** 0.0603 acres

**Notices Mailed****Owners of Property within 200 feet:** 31**Registered Neighborhood Associations within 200 feet:** Gardendale Neighborhood Association, West End Hope in Action Neighborhood Association**Applicable Agencies:** Solid Waste Management Department**Property Details**

**Property History:** The subject property was included in the original 36 square miles of the City of San Antonio and was zoned "L" First Manufacturing District. Under the 2001 Unified Development Code the property zoned "L" First Manufacturing District converted to "I-2" Heavy Industrial District. The property was rezoned by Ordinance 97325, dated March 13, 2003, to "R-4" Residential Single-Family District. The property was rezoned by Ordinance 2009-01-15-0035, dated January 15, 2009, to the current "IDZ AHOD" with Uses Permitted in "C-2" Commercial District and "R-4" Residential Single-Family District.

**Code & Permitting Details:**

There are no code or permitting details for the subject property.

**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:** "IDZ"**Current Land Uses:** Single Family Dwelling**Direction:** East**Current Base Zoning:** "IDZ", "MF-50"**Current Land Uses:** Single Family Dwelling, Apartments**Direction:** South**Current Base Zoning:** "IDZ"**Current Land Uses:** Warehouse, Office, Single Family Dwelling, Duplex**Direction:** West**Current Base Zoning:** "R-1", "R-2", "R-3", "R-3 CD", "R-4"**Current Land Uses:** Single Family Dwelling, Duplex, Vacant**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:**

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:** North Colorado Street

**Existing Character:** Minor Secondary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Perez Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Leal 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:** 3, 20, 89, 93, 289

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** "IDZ-2" base zoning district would waive the minimum parking requirement by 50%. The minimum parking requirement for Dwelling – 3 Family is 1.5 spaces per unit.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "IDZ" Infill Development Zone District provides flexible standards for the development and reuse of underutilized parcels within a qualifying area of the city. Although this district still exists, it is no longer approved for new properties.

The uses permitted by the "IDZ" base zoning district would be for "C-2" Commercial District and "R-4" Residential Single-Family District.

Proposed Zoning: "IDZ-2" Medium Intensity Infill Development Zone District allows rezoning requests up to 50 units per acre, and uses permitted in "C-2" and "O-1.5". 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 uses permitted by the "IDZ-2" base zoning district would be for three (3) dwelling units.

**FISCAL IMPACT:**

None

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission recommends Denial.

**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 December 5, 2019, and is currently designated as “Employment/Flex Mixed Use” in the future land use component of the plan. The requested “IDZ-2” 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 zoning designations include “MF-50” Multi-Family District and “R-3 CD” Residential Single-Family District with a Conditional Use for two (2) units.
3. **Suitability as Presently Zoned:** The current "IDZ" Infill Development Zone District with uses permitted in "C-2" Commercial District and “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-2" Medium Intensity Infill Development Zone District with uses permitted for three (3) dwelling units is also appropriate. The proposed density of three dwelling units is consistent with the density in the area, ranging from two dwelling units to apartments. The request to rezone requires a site plan that will hold the applicant to the proposed layout of the development, and deviation from the approved document could warrant the need for 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 any public policy. 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.
  - 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.

- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services, and entertainment amenities in closer proximity to housing and where appropriate.
- GCF P10: Develop a plan to preserve and maintain affordable housing within revitalizing neighborhoods and along transit corridors.

The request does not appear to conflict with any public policy objectives of the Downtown Area Regional Center Plan:

- Goal 4: Diversify the Mix of Uses in the Downtown Core
  - o Attract additional housing and a diversity of employment options in the Downtown Core
- Goal 6: Broaden the Diversity of Housing Options throughout the Downtown Core and its Neighborhoods
  - o Provide a variety of housing types, both owner- and renter-occupied, that are affordable for people at all stages of life and for a range of income levels
  - o Preserve existing affordable housing; o Emphasize the development of “Missing Middle” housing for both renters and owners
  - o Ensure Downtown is a livable place for families, children, students, the elderly, and others.

**6. Size of Tract:** The subject property is 0.0603 acres, which can reasonably accommodate the proposed commercial development.

**7. Other Factors:** The applicant intends to rezone to “IDZ-2” to develop three (3) dwelling units.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses.

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.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, the Office of Historic Preservation has not received an application for demolition at this address and a demolition application with OHP will be required if demolition is a listed scope of work.