



# 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-2023-10700017

**SUMMARY:**

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

**Requested Zoning:** “IDZ-1 AHOD” Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 7, 2023. This item was continued from the October 17, 2023 hearing.

**Case Manager:** Adolfo Gonzalez, Zoning Planner

**Property Owner:** EKRE LLC

**Applicant:** Kamaljeet Singh Kahlon

**Representative:** Eliza Long

**Location:** 708 North Colorado

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

**Total Acreage:** 0.0603

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Gardendale and West End Hope in Action Neighborhood Association

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "L" First Manufacturing District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "L" First Manufacturing District converted to "I-2" Heavy Industrial District. The property was rezoned by Ordinance 2009-01-15-0034, dated January 12, 2009, to "IDZ" Infill Development Zone District with uses permitted for "C-2" Commercial District and "R-4" Residential Single-Family District.

**Code & Permitting Details:**

There is no code enforcement or permit history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** IDZ

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** IDZ

**Current Land Uses:** Mechanic Shop

**Direction:** South

**Current Base Zoning:** IDZ

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** R-3 and R-3 CD

**Current Land Uses:** Residential Dwelling

**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:** Secondary Arterial B

**Proposed Changes:** None known.

**Thoroughfare:** Perez Street

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 79, 277

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for multifamily dwelling is 1.5 spaces per unit. The maximum parking requirement for multifamily dwelling is 2 spaces per unit.

“IDZ-1” waives the minimum parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “IDZ” Infill Development Zone 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.

Proposed Zoning: “IDZ-1” Limited Intensity Infill Development Zone 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 Infill Development Zone would propose three (3) dwelling units.

**FISCAL IMPACT:**

None.

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

The subject property is located with the Downtown Regional Center and within ½ a mile from the Fredericksburg 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 December 5, 2019 and is currently designated as "Employment/Flex 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.
3. **Suitability as Presently Zoned:** The existing "IDZ" Infill Development Zone District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-1" Limited Intensity Infill Development Zone with uses permitted for three (3) dwelling units is also an appropriate zoning for the property and surrounding area. The subject property is surrounded by base zonings which include "R-1", "R-3", "R-4" and "MF-50", all that are considered higher density residential uses. The proposed three (3) dwelling units would be consistent with the established development pattern along North Colorado Street. The request includes a prescribed site plan, which addresses development aspects including building square footage, landscaping, fencing and site layout of the three (3) units. The proposal is also consistent with the goals of the Strategic Housing Implementation Plan (SHIP), 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 objective of the Downtown Area Regional Center Plan. Goals and objectives may include:
  - Goal 1: Preserve and Enhance Downtown's Authenticity.
  - Grow and evolve in meaningful ways that encourage attachment between people and places.
  - 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.
  - 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.
  - Emphasize the development of "Missing Middle" housing for both renters and owners.
  - Ensure Downtown is a livable place for families, children, students, the elderly, and others.

6. **Size of Tract:** The 0.0603 acre site is of sufficient size to accommodate the proposed multifamily 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 through three (3) dwelling units.

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