



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 21, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon, Director

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700323

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 21, 2025

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Jeremy Rushing and Roxanne Rushing

**Applicant:** Jeremy Rushing and Roxanne Rushing

**Representative:** Patrick Christensen

**Location:** 1606 North Pine Street

**Legal Description:** Lot 7, Block 4, NCB 1279

**Total Acreage:** 0.1857 acres

### **Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association

**City-Wide Community Organizations:** T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, and Lifeline Overeaters Anonymous Community Organizations

**Applicable Agencies:** Fort Sam Houston Army Base, Texas Department of Transportation, 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 "F" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "F" Local Retail District converted to the current "C-2" Commercial District.

### **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:** R-6

**Current Land Uses:** Residential Dwellings

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Food Service Establishment

**Direction:** East

**Current Base Zoning:** R-6, RM-5

**Current Land Uses:** Residential Dwellings

**Direction:** West

**Current Base Zoning:** C-2, R-5, RM-5, MF-33

**Current Land Uses:** Residential Dwellings, Vacant Commercial Strip

### **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 Pine Street

**Existing Character:** Collector

**Proposed Changes:** None known

**Thoroughfare:** Interstate 35 Frontage Road

**Existing Character:** Frontage Road

**Proposed Changes:** None known

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

**Routes Served:** 20

**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 Food – restaurant or cafeteria is 1 space per 100 sf of Gross Floor Area.

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

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “C-2” Commercial District accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

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 uses permitted by the “IDZ-1” base zoning district would allow for uses permitted in "C-1" Light Commercial District.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within ½ a mile of the Austin Highway 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 Eastside Area Community Plan, adopted June 2024, 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 “R-6” Residential Single-Family District and “C-2” Commercial District.
3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-1" Limited Intensity Infill Development Zone District with uses permitted in "C-1" Light Commercial District is also appropriate. The subject property is situated between commercial and single-family residential developments, and the proposed light commercial uses would act as a buffer between the separate uses. Furthermore, the proposed base zone of “IDZ-1” would allow for adaptive reuse of the current vacant structure given the base zone’s flexibility with parking and development standards.
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.
  - GCF Policy 14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Relevant Goals and Policies of the Eastside Community Area Plan:

- Goal 1: Community Stability and Inclusion
  - o Residents and businesses will maintain and enhance neighborhood character in order to provide stability to the area.
- Land Use: Strategy 1.1
  - o Initiate and support rezoning requests in areas designated as mixed-use to provide a mix of uses designed to support pedestrians and transit use. For City-initiated rezoning, ensure existing detached single-family residences continue to be permitted by right and are not made nonconforming.

6. **Size of Tract:** The subject property is 0.1857 acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBBSA 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 commercial uses.

TxDOT Comments: No access may be allowed onto IH 35 Frontage.

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 at 210-207-6428 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.