



City of San Antonio

Agenda Memorandum

Agenda Date: April 15, 2025

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

ZONING CASE Z-2025-10700069

(Associated Plan Amendment Case PA-2025-11600023)

SUMMARY:

Current Zoning: "RM-4 UC-4 AHOD" Residential Mixed North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District, "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District, "C-2 UC-4 AHOD" Commercial North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District, "C-3NA UC-4 AHOD" General Commercial Nonalcoholic Sales North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District, "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District, and "C-3R UC-4 AHOD" General Commercial Restrictive Alcoholic Sales North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District

Requested Zoning: "IDZ-3 UC-4 AHOD" High Intensity Infill Development Zone North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and up to 575 dwelling units, and "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and up to 575 dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 15, 2025

Case Manager: Alexa Retana, Zoning Planner

Property Owner: Robert Stovall, Lawrence S. Stovall, Janal Wholesale Co., Ricky James Poole, Jeffrey S. Poole, and Gary Anthony Poole

Applicant: Headwall Investments, LLC

Representative: Killen, Griffin, & Farrimond, PLLC

Location: 1908, 1912, 1916, 1920, 1924, and 1942 North Saint Mary's Street, 1009, 1015, and 1019 East Euclid Avenue

Legal Description: 3.101 acres out of NCB 1755

Total Acreage: 3.101 acres

Notices Mailed

Owners of Property within 200 feet: 62

Registered Neighborhood Associations within 200 feet: Tobin Hill Community Neighborhood Association, SoJo Crossing Homeowner Association, and San Antonio Texas District One Resident Association

City-Wide Community Organizations: Women in Film & Television San Antonio and San Antonio African American Community Archive and Museum

Applicable Agencies: Office of Historic Preservation, Fort Sam Houston Army Base, 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 was originally zoned "D" Apartment District and "J" Commercial District. The northernmost portion of property that fronts East Park Avenue was rezoned by Ordinance 30820, dated October 17, 1962, to "JJ" Commercial District. The midblock portion of property that fronts East Park Avenue was rezoned by Ordinance 30677, dated August 15, 1962, to "JJ" Commercial District. The southernmost portion of property at the intersection of East Euclid Avenue and East Park Avenue was rezoned by Ordinance 81284, dated December 8, 1994, to "B-2" Business District. The subject property was rezoned by Ordinance 83331, dated December 14, 1995, as follows: the properties zoned "D" Apartment District that front East Euclid Avenue and the midblock properties designated as "J" Commercial District that front North Saint Mary's were rezoned to "R-2" Two-Family Residence District; the southernmost portion fronting East Euclid zoned "J" Commercial District was rezoned to "B-3R" Restrictive Business District; the northernmost portion of property at the intersection of North Saint Mary's and East Park Avenue and the portion of property fronting East Park Avenue was rezoned to "B-3NA" Business Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the properties zoned "R-2" Two Family District converted to the current "RM-4" Residential Mixed District; the properties zoned "B-3R" Restrictive Business District converted to the current "C-3R" General Commercial Restrictive Alcoholic Sales District; the properties zoned "B-3NA" Business Non-Alcoholic Sales District converted to the current "C-3NA" Commercial Non-Alcoholic Sales District.

Code & Permitting Details: 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, C-3NA, IDZ-2

Current Land Uses: Architecture Office, Residential Dwellings, Police Substation, Construction Office

Direction: East

Current Base Zoning: R-6, IDZ-1, RM-4, C-2, MF-33, IDZ, IDZ-3

Current Land Uses: Multi-Family Complexes, Retail, Residential Dwellings

Direction: South

Current Base Zoning: C-3R, C-3NA, RM-4, IDZ-2, MF-33

Current Land Uses: Gas Station, Bank, Contractor's Office, Multi-Family Complexes, Residential Dwellings

Direction: West

Current Base Zoning: C-3NA, C-3, I-1, I-2, R-6, O-2

Current Land Uses: Law Office, Retail, 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.

"UC-4" North St. Mary's Street Urban Corridor overlay was established because there are many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of "UC" serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

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 Saint Mary's Street

Existing Character: Collector
Proposed Changes: None Known

Thoroughfare: East Euclid Avenue
Existing Character: Local
Proposed Changes: None Known

Thoroughfare: East Park Avenue
Existing Character: Local
Proposed Changes: None Known

Thoroughfare: East Cesar Chavez Boulevard
Existing Character: Primary Arterial Type B
Proposed Changes: None

Public Transit: There is public transit within walking distance of the subject property.
Routes Served: 8, 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 Dwelling – Multi-Family is 1.5 space per unit. The parking requirements for commercial uses can be found in the Unified Development Code, Table 526-3b.

“IDZ-3” waives the minimum parking requirement by 50%.

ISSUE:
None

ALTERNATIVES:

Current Zoning: “RM-4” Residential Mixed District allows for single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

“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.

“C-3NA” General Commercial Nonalcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

“C-3R” General Commercial Restrictive Alcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

Proposed Zoning: "IDZ-3" High Intensity Infill Development Zone allows rezoning requests of unlimited density, and uses permitted in “C-3”, “O-2” and “I-1”. All approved uses and maximum density 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 proposed "IDZ-3" would allow for uses permitted in "C-2" Commercial District and up to 575 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 Midtown Regional Center and is within ½ a mile of the New Braunfels Avenue 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 Midtown Area Regional Center Plan, adopted in 2019, and is currently designated as “Employment/Flex Mixed-Use” and “Urban Mixed-Use” in the future land use component of the plan. The requested “IDZ-3” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Mixed-Use”. Staff and Planning Commission recommend Approval.
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 include “IDZ-1” Limited Intensity Infill Development Zone, “IDZ-3” High Intensity Infill Development zone, and “IDZ” Infill Development Zone.
3. **Suitability as Presently Zoned:** The existing “RM-4” Residential Mixed District, “C-2” Commercial District, “C-3NA” General Commercial Nonalcoholic Sales District, “C-3R” General Commercial Restrictive Alcoholic Sales District are appropriate zones for the subject property and surrounding area. The proposed “IDZ-3” High Intensity Infill Development Zone with uses permitted in “C-2” Commercial District and up to 575 dwelling units is also appropriate. The subject property currently includes more intense industrial and commercial

uses such as metal fabrication, a wholesaler, and a distribution service center, which are not consistent with the surrounding area. The proposed mixed-use development would align more with existing infill development in the area which permit a mix of commercial uses and multi-family developments. Furthermore, the high-density housing would contribute to a range of housing choices available near the city center. The subject property is appropriately located within a regional center and near adequate access to public transportation routes. The request also aligns with the Strategic Housing Implementation Plan (SHIP) for more housing for the City's growing population.

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 public policy. Relevant Goals and Policies of the Comprehensive Plan may include:
 - 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.
 - H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
 - H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

Relevant Goals and Objectives of the Midtown Area Regional Center Plan may include:

- Goal 4: Support Unique, Mixed Activity Areas
 - o Foster an appropriate mix, density, and orientation of land uses in each part of the Midtown Area to maintain the character of unique places, such as the North St. Mary's Street music culture.
- Goal 5: Broaden Housing Choices
 - o Focus most new housing development closer to multimodal transportation corridors.
- Goal 7: Stimulate a Thriving Economy
 - o Create more employment opportunities to continue attracting a diverse residential population.
- Goal 10: Pursue Transformative Projects
 - o Elevate the Midtown Area's aesthetic appeal, stimulate economic growth, and meet local needs by transforming vacant properties and older buildings through reuse, redevelopment, or new development.
- Goal 11: Grow Unique Destinations
 - o Fortify Midtown Area destinations with complementary housing, education, employment, entertainment, and transportation choices.
 - o Support other thriving retail, entertainment, and cultural destinations that already have a community and successful identity, such as the Pearl District, St. Mary's Street, and Main Street.

6. **Size of Tract:** The 3.101 acres site is of sufficient size to accommodate the proposed mixed use infill development.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential and commercial uses. The proposed rezoning would allow up to 575 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.

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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.

For properties zoned "IDZ" that abut lots zoned residential or are developed with a single family use, the structure shall not exceed two and one-half (2.5) stories or thirty-five (35) feet in height if the structure is fifty (50) feet or less from the single-family use or zone.