



City of San Antonio

Agenda Memorandum

Agenda Date: October 1, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

ZONING CASE Z-2024-10700213

SUMMARY:

Current Zoning: “IDZ-3 AHOD” High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for “C-2” Commercial District, nine hundred (900) dwelling units and Bar/Tavern

Requested Zoning: “IDZ-3 AHOD” High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for “C-2” Commercial District, nine hundred (900) dwelling units, Bar/Tavern, and a Hotel

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 1, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: RS Josephine Development LLC

Applicant: RS Josephine Development LLC

Representative: Patrick Christensen

Location: 246 West Josephine Street

Legal Description: Lot 11, Lot 12, Lot 30, Lot E, Lot F, Lot J, Lot K, Lot L and Lot P-101, Block 1, NCB 3028

Total Acreage: 1.2240 acres

Notices Mailed

Owners of Property within 200 feet: 41

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

Applicable Agencies: Office of Historic Preservation, Fort Sam Houston, Solid Waste Management Department

Property Details

Property History: The property was part of the original 36 square miles of the City of San Antonio, and originally zoned "J" Commercial District. The property was rezoned by Ordinance 83331, dated December 24, 1995, to "I-1" Light Industry District. With adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned "I-1" Light Industry District converted to "I-1" General Industrial District. The property was rezoned by Ordinance 2023-02-02-0058, dated February 2, 2023, to the current IDZ-3 High Intensity Infill Development Zone with uses permitted for "C-2" Commercial District, nine hundred (900) dwelling units, Bar/Tavern.

Code & Permitting History:

There is no relevant code 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-3", "I-1"

Current Land Uses: Neon Sign Shop, Vacant Building, Vacant

Direction: East

Current Base Zoning: "I-1", "IDZ-3"

Current Land Uses: Vacant Building, Wholesale Florist

Direction: South

Current Base Zoning: "IDZ-2", "IDZ"

Current Land Uses: Single Family Dwelling, Townhomes

Direction: West

Current Base Zoning: "IDZ-3", "C-3NA"

Current Land Uses: Vacant Building, Law Offices

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: West Josephine Street

Existing Character: Collector

Proposed Changes: None Known

Thoroughfare: Polk

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: West Grayson Street

Existing Character: Minor

Proposed Changes: None Known

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

Routes Served: 20, 8

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 multi-family residential is 1.5 parking space per unit. The minimum parking requirement for a bar/tavern is 1 parking space per 100 square feet of gross floor area. The minimum parking requirement for a hotel is 0.8 parking space per room plus 1 space per 800 sf of public meeting area and restaurant space.

The IDZ-3 base zoning district waives the parking requirements by 50%.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "IDZ-3" High Intensity Infill Development Zone District 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 "IDZ-3" zoning permits uses within "C-2" Commercial District, nine hundred (900) dwelling units, and a Bar/Tavern.

Proposed Zoning: "IDZ-3" High Intensity Infill Development Zone District 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.

If approved, the proposed "IDZ-3" would allow for uses permitted in "C-2" Commercial District, nine hundred (900) dwelling units, Bar/Tavern, and a Hotel.

This rezoning is intended to add the use - Hotel.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Midtown Regional Center and within a ½ mile of the New Braunfels Avenue Metro Premium Plus 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 "Regional Mixed Use" in the future land use component of the plan. The requested "IDZ-3" 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 includes "IDZ-3" High Intensity Infill Development Zone and "IDZ-2" Medium Intensity Infill Development Zone.
3. **Suitability as Presently Zoned:** The existing "IDZ-3" High Intensity Infill Development Zone District with uses permitted in "C-2" Commercial District, nine hundred (900) dwelling units, and a Bar/Tavern is an appropriate zone for the subject property and surrounding area. The proposed "IDZ-3" High Intensity Infill Development Zone District with uses permitted in "C-2" Commercial District, 900 dwelling units, Bar And/Or Tavern, and Hotel is also appropriate. The applicant is requesting to amend the existing infill development zoning to add a hotel use. The proposed request aligns with the existing Infill Development Zone Districts that permit a mix of high intense commercial uses and high-density multi-family developments within proximity. The subject property is appropriately located within a downtown area that is being revitalized to provide mixed use and promote sustainable infill.

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 P30: Ensure infill development is compatible with existing neighborhoods.
 - 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 1: Preserve Midtown's Distinct Character.
 - Goal 4: Support Unique, Mixed Activity Areas
 - Goal 5: Broaden Housing Choices
 - Goal 7: Stimulate a Thriving Economy
 - Goal 11: Grow Unique Destinations
6. **Size of Tract:** The 1.2240-acres site is of sufficient size to accommodate the proposed residential and 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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The proposed development will not be eligible for City waste services as the City cannot service multifamily or commercial establishments. Owner should procure dumpsters or waste services from private haulers within the region.

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