



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 18, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**  
ZONING CASE Z-2025-10700027

**SUMMARY:**

**Current Zoning:** "R-6 H HS AHOD" Residential Single-Family Tobin Hill Historic Overlay Historic Significant Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 H HS AHOD" Limited Intensity Infill Development Zone Tobin Hill Historic Overlay Historic Significant Airport Hazard Overlay District with uses permitted for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 18, 2025

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Michael Stein Living Trust

**Applicant:** ADA Consulting Group, Inc

**Representative:** ADA Consulting Group, Inc

**Location:** 518 East Park Avenue

**Legal Description:** the east 40 feet of Lot 5 and the west 23 feet of lot 6, Block 28, NCB 397

**Total Acreage:** 0.2314 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 27

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

**City-Wide Community Organizations:** Women in Film & Television San Antonio

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

### **Property Details**

**Property History:** The property was located within the original 36 square miles of the City of San Antonio and zoned “D” Apartment District. The property was rezoned by Ordinance 83331, dated December 14th, 1995, to “R-1” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3rd, 2001, the property zoned “R-1” Single-Family Residence District was converted to the current “R-6” Residential Single-Family District.

**Code & Permitting Details:** There is no code enforcement of 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,” RM-4”

**Current Land Uses:** Single-Family Dwellings, multi-Family Dwellings

**Direction:** South

**Current Base Zoning:** “R-6,” “RM-4”

**Current Land Uses:** Single-Family Dwellings, multi-Family Dwellings

**Direction:** East

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Multi-Family Dwelling

**Direction:** West

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Single-Family Dwellings

### **Overlay District Information:**

The Tobin Hill Historic District, is an overlay district which was adopted in December 2007 and March 2008. This district does not regulate use of the property but does enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

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.

The requested "IDZ" would permit three (3) dwelling units.

**Transportation**

**Thoroughfare:** East Park Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Kendall Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Gillespie Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 5, 8, 204.

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

**Parking Information:** "IDZ-1" waives the minimum parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** "R-6" Residential Single-Family Districts permit single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**Proposed Zoning:** 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.

**FISCAL IMPACT:**

None.

**PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:**

Subject property is located within the Midtown Regional Center and is within ½ a mile from 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 June 2019, and is currently designated as “Urban Low Density Residential” 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, “RM-4” Residential Mixed District, and “MF-33” Multi-Family District.
3. **Suitability as Presently Zoned:** The existing “R-6” Residential District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-1” Limited Intensity Infill Development Zone District with uses permitted for three (3) dwelling units is also appropriate. There are existing base zoning districts that permit multiple dwelling units in the surrounding area. The requested “IDZ-1” base zoning would require a prescribed site plan that cannot be changed without further public review. The proposed zoning is also consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city’s growing population at 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. Relevant Goals and Policies of the Midtown Area Regional Center Plan may include:
  - **Land Use Recommendation #2:** Encourage zoning that supports the maintenance of neighborhood character while encouraging affordable housing, housing for all stages of life, and housing that is accessible to people with mobility impairments.
  - **Housing Recommendation #1:** Ensure that zoning supports a context-sensitive supply of diverse housing to support the Midtown Area’s expected household growth.

- **Housing Recommendation #3:** Maintain affordability and a diversity of housing options by accommodating additional housing in neighborhoods and transition areas through context-sensitive design and small-scale, infill housing.

6. **Size of Tract:** The 0.2314-acre site is of sufficient size to accommodate the proposed residential 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 zoning change request is to allow for the development of two (2) additional dwelling units to allow for a total of three (3) dwelling units total on the property.

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.

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 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.