



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 16, 2025

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2024-10700283

**SUMMARY:**

**Current Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Limited Intensity Infill Development Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District and "C-1" Light Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2024

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

**Property Owner:** Sophia Zink and Nash Zink

**Applicant:** Sophia Zink

**Representative:** Sophia Zink

**Location:** 422 South Hackberry Street

**Legal Description:** The north 55 feet of Lot 18, the west half of Block 21, NCB 618

**Total Acreage:** 0.0657 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 37

**Registered Neighborhood Associations within 200 feet:** Denver Heights 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:** Solid Waste Management

### **Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “G” Local Retail District. The property was rezoned by Ordinance 79329, dated December 16, 1993, to the “R-2” Two-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-2” Two-Family Residence District converted to the current “RM-4” Residential Mixed District.

### **Code & Permitting History:**

ADDR-COD-24-10600365 – Certificate of Determination – August 2024

INV-ZRD-24-3170001977 – Zoning UDC Investigation – July 2024

**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:** RM-4

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

**Direction:** South

**Current Base Zoning:** RM-4

**Current Land Uses:** Residential Dwellings

**Direction:** East

**Current Base Zoning:** RM-4

**Current Land Uses:** Residential Dwellings

**Direction:** West

**Current Base Zoning:** C-2, IDZ-2, RM-4

**Current Land Uses:** Restaurants, 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.

**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:** South Hackberry

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

**Thoroughfare:** Dakota Street

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 28, 230, 25, 225,

**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 – 1 Family is 1 space per unit. The minimum parking requirement for Bakery – retail is 1 space per 300 sf of Gross Floor Area.

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

**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.

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 "RM-4" Residential Mixed District and "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 Commerce – Houston Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend 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 “IDZ-2” Medium Intensity Infill Development Zone District, “C-2” Commercial District, and “RM-4” Residential Mixed District.
3. **Suitability as Presently Zoned:** The existing "RM-4" Residential Mixed 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 "RM-4" Residential Mixed District and "C-1" Light Commercial District is also appropriate. The subject property is situated within a mix of commercial and residential developments, fronting South Hackberry Street, a secondary arterial. Thus, the property is compatible in intensity and commercial traffic can be supported by surrounding roadways. The development will be held to a prescribed site plan. Deviation from the approved site plan could warrant additional Council consideration.
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 Eastside Community Area Plan:
  - Goal 1: Community Stability and Inclusion
    - o Diverse housing options will be available for current and future generations.
    - 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 0.0657 acres, which can reasonably accommodate the proposed commercial/residential development.
7. **Other Factors:** The purpose for the rezoning is due to lot size minimum requirements. The property is currently zoned “RM-4” Residential Mixed District, requiring a lot size minimum of 4,000 sq ft. The subject property is 2,800 sq ft.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial and residential uses. The applicant is proposing one (1) dwelling unit.