



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 7, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2023-10700162

**SUMMARY:**

**Current Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Requested Zoning:** "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and one (1) dwelling unit

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 1, 2023

**Case Manager:** Camryn Blackmon, Zoning Planner

**Property Owner:** Ammon Arthur Farzampour

**Applicant:** Ammon Arthur Farzampour

**Representative:** Ammon Arthur Farzampour

**Location:** 1421 Austin Street

**Legal Description:** the east 115 feet of Lot 6, NCB 981

**Total Acreage:** 0.153

**Notices Mailed**

**Owners of Property within 200 feet:** 25

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

**Applicable Agencies:** Fort Sam Houston

### **Property Details**

**Property History:** The property was part of the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "J" Commercial District converted to the current "I-1" General Industrial District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "IDZ" Uses Permitted in C-2 Meeting Facility

**Current Land Uses:** Alamo Community Colleges

**Direction:** East

**Current Base Zoning:** "IDZ" Uses Permitted C-1, (5) Residential Units

**Current Land Uses:** Multiple dwelling units

**Direction:** South

**Current Base Zoning:** "IDZ" Uses Allowed C-2, MF-33

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "IDZ" Uses Allowed C-2, MF-33

**Current Land Uses:** Parking lot

### **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:** Austin Street

**Existing Character:** None

**Proposed Changes:** None Known

**Thoroughfare:** East Josephine Street  
**Existing Character:** None  
**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.  
**Routes Served:** 20, 9,14,209,214

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for multi-family 33 units per acre is 1.5 per unit. The maximum parking requirement for multi-family 33 units per acre is 2 per unit.

“IDZ-2” waives the minimum parking requirement by 50%.

**ISSUE:**  
None.

**ALTERNATIVES:**

Current Zoning: “I-1” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

Proposed Zoning: “IDZ-2” Medium Intensity Infill Development Zone District allows rezoning requests up to 50 units per acre, and uses permitted in “C-2” and “O-1.5”. 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 proposed “IDZ-2” will allow uses permitted in "C-2" Commercial District and one (1) dwelling unit.

**FISCAL IMPACT:**  
None.

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

Subject property is located within the Midtown Regional Center and within ½ a mile from the New Braunfels Ave Premium Transit Corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

The applicant amended their request at Zoning Commission to “IDZ-2” with uses permitted in “C-2” Commercial District and one (1) dwelling unit. Originally, the request included “MF-33”, but the applicant changed it to only one (1) dwelling unit.

**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 SA Tomorrow Midtown Regional Center Plan and is currently designated as “Regional Mixed Use” in the future land use component of the plan. The requested “IDZ-2” 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.
- 3. Suitability as Presently Zoned:** The existing “I-1” General Industrial District is not an appropriate zoning for the property and surrounding area. The proposed "IDZ-2" Medium Intensity Infill Development Zone District with uses permitted in "C-2" Commercial District and one (1) dwelling unit is more appropriate for the property and surrounding area. The proposed rezoning is to allow for a dwelling unit and food trucks on the property. The requested rezoning is compatible with the adjacent base zoning districts of “IDZ” Infill Development Zone District with similar permitted uses. The property is bound to a prescribed site plan that cannot be changed without further rezoning.
- 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 objective of the Midtown Are Regional Center Plan. Goals and Objectives include:
  - The request does not appear to conflict with any public policy objective of the Midtown Are Regional Center Plan. Goals and Objectives include:
  - Prioritize major amenity and infrastructure improvement projects that support growth in focus areas and mixed-use corridors.
  - Update zoning and design standards to support the unique vision for each focus area and mixed-use corridor, create high-quality places, support transportation choices, and avoid impacts to sensitive areas nearby.
  - Ensure that zoning supports a context-sensitive supply of diverse housing to support the Midtown Area’s expected household growth.
  - 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 0.153-acre 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 applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates “C-2” General Commercial and “MF-33” Multi-Family uses. With a maximum density of 33 units per acre, the maximum number of dwelling units for the 0.153-acre lot is five (5) dwelling units.

The proposed rezoning is seeking a residential dwelling unit. 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.