



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 12, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2023-10700187

**SUMMARY:**

**Current Zoning:** "C-1 MC-2 AHOD" Light Commercial South Presa Metropolitan Corridor Overlay Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 MC-2 AHOD" Limited Density Infill Development Zone South Presa Metropolitan Corridor Overlay Airport Hazard Overlay District with uses permitted for six (6) dwelling units.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 5, 2023

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** Golden Lion Trading, LLC

**Applicant:** Asad Halai

**Representative:** Asad Halai

**Location:** 4406 South Presa Street

**Legal Description:** 0.339 acres out of NCB 7596

**Total Acreage:** 0.339 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** Lonestar Neighborhood Association

**Applicable Agencies:** World Heritage Organization, Planning Department

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 1256, dated August 2, 1944, and was originally 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 "I-1" General Industrial District. The property was rezoned by Ordinance 2011-05-19-0425, dated May 19, 2011, to the current "C-2" Commercial District.

### **Code & Permitting Details**

There is no relevant code enforcement history for the subject property.

There are no relevant permits for the subject property.

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

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

**Direction:** North

**Current Base Zoning:** "C-1", "R-4" "MF-33"

**Current Land Uses:** Commercial structure, Residential dwelling

**Direction:** South

**Current Base Zoning:** "C-1"

**Current Land Uses:** Vacant, Print Shop, Liquor store

**Direction:** East

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** "C-1"

**Current Land Uses:** Transmission shop

### **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.

The "MC-2" South Presa Metropolitan Corridor provides site and building design standards for properties located along South Presa Street between Interstate Highway 10 and Southeast Loop

410. Metropolitan Corridors follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city. A zoning review is performed by the Zoning Section of the Development Services Department.

**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 Presa Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

**Public Transit:** There are VIA bus routes within walking distance of the subject property.

**Routes Served:** 36, 242

**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 multi-family development is 1.5 spaces per unit.

The IDZ-1 base zoning district waives the minimum parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-1" Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

Proposed Zoning: The "IDZ-1" Limited Intensity Infill Development Zone 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.

If approved, the uses permitted would be for 6 dwelling units on the property.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within a ½ mile of the Rockport Subdivision Metro 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 South-Central San Antonio Community Plan and is currently designated as “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 property is in an area that accommodates a mix of low-intensity commercial uses and residential uses; the proposed use aligns with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The current “C-1” Light Commercial 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 six (6) dwelling units is also appropriate. The property fronts a secondary arterial which can handle the more intense ingress/egress associated with the use. The proposed use could potentially serve as a transitional buffer between the secondary arterial and the single-family development directly east of the subject property. Additionally, the proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages diverse housing options for 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 objectives of the South Central San Antonio Community Plan.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF Policy 8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.

- GCF Policy 14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding higher-density development.
- Housing Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
- Housing Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
- Housing Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
- Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Objectives and Strategies of the South Central San Antonio Community Plan may include:

- Land Use: Mixed uses are desired along the corridors S. Flores Street, Cevallos, S.W. Military Drive, S Presa Street, Pleasanton Road, Probandt Street, and Roosevelt Avenue.
- Housing Objective 2: Encourage rehabilitation of existing homes and the construction of new housing.
- Housing Strategy 2.1: Construct all types of infill housing on vacant lots throughout the entire community.

6. **Size of Tract:** The 0.339 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The applicant is proposing six residential units on the property. The density proposed works out to 17.7 units per acre, which is compliant with the IDZ-1 base zoning district.

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.