



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 2, 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-2023-10700179

**SUMMARY:**

**Current Zoning:** "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, an Extended Stay Hotel, multi-family dwelling units not to exceed 570 units, Bar with Live Entertainment, and a Sports Court - Outdoor and "IDZ-3 HL AHOD" High Intensity Infill Development Zone Historic Significant Landmark Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, an Extended Stay Hotel, multi-family dwelling units not to exceed 570 units, Bar with Live Entertainment, and a Sports Court – Outdoor

**Requested Zoning:** "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, an Extended Stay Hotel, multi-family dwelling units not to exceed 570 units, Bar with Live Entertainment, Sports Court - Outdoor, and a Recreational Vehicle Park

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 19, 2023. This item was continued from the September 5, 2023 hearing.

**Case Manager:** Adolfo Gonzalez, Zoning Planner

**Property Owner:** Bright Lakes Real Estate, LLC

**Applicant:** Bright Lakes Real Estate, LLC

**Representative:** Plandmark Development Services, LLC & Frank Dunn

**Location:** 1008 and 1012 Hoefgen Avenue, and 509 Delaware Street

**Legal Description:** 2.90 acres out of NCB 656

**Total Acreage:** 2.90

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, Texas Department of Transportation

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “L” First Manufacturing District. The property was rezoned by Ordinance 79329, dated December 16, 1993, to “I-1” Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “I-1” Light Industry District converted to “I-1” General Industrial District. The property was rezoned by Ordinance 2019-12-05-1011, dated December 5, 2019, to the current “IDZ-3” High Intensity Infill Development Zone.

**Code & Permitting Details**

INV-PBP22-3100004815 (PMT-Building Without a Permit: 509 Delaware) – November 2022

COD-ADH-REQ22-43902989 (Administrative Hearing: 509 Delaware) – December 2022

**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:** “I-1”

**Current Land Uses:** Residential Dwellings

**Direction:** East

**Current Base Zoning:** “I-1”

**Current Land Uses:** Abandoned Building, Railroad

**Direction:** South

**Current Base Zoning:** “I-1”

**Current Land Uses:** Abandoned Warehouse

**Direction:** West

**Current Base Zoning:** “UZROW”

**Current Land Uses:** IH-37

**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:** Indiana Street

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** Delaware Street

**Existing Character:** Local

**Proposed Changes:** None known

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

**Routes Served:** 32

**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 a extended stay hotel is 1 space per unit. The minimum parking requirement for a multifamily dwelling is 1.5 spaces per unit. The minimum parking requirement for a bar/tavern is 1 space per 100 sf GFA. There is no minimum parking requirement for a RV Park.

"IDZ-3" waives the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

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

Proposed Zoning: "IDZ-3" High Intensity Infill Development Zone 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 request is to add the Recreational Vehicle Park to the existing list of permitted uses for the current "IDZ-3" zoning and removes the "HL" Historic Landmark designation.

**FISCAL IMPACT:**

None.

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

The subject property is located with the Downtown Regional Center but not within ½ a mile from a 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 SA Tomorrow Downtown Area Regional Center Plan and is currently designated as "Employment/Flex 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.
- 3. Suitability as Presently Zoned:** The existing "IDZ-3" High Intensity Infill Development Zone is an appropriate zoning for the property and surrounding area. The proposed rezoning is requested to remove the "HL" Historic Landmark overlay from 509 Delaware Street and add the 'Recreational Vehicle Park' use to the list of permitted uses from the existing "IDZ-3" base zoning district. The proposed uses will be bound to a prescribed site plan to include building dimensions and square footages; deviation from the considered site plan could potentially warrant additional Council consideration and a new rezoning case.
- 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 SA Tomorrow Downtown Area Regional Center Plan. Relevant goals include:
  - GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
  - GCF Goal 2: Priority growth areas attract jobs and residents.

- 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.
- GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
- GCF P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed use.

6. **Size of Tract:** The subject property is 2.90 acres, which is of sufficient size to accommodate commercial uses, an extended stay hotel, multi-family dwelling units, bar with live entertainment, a sports court – outdoor, and RV park.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates a mix of commercial and multi-family uses.