



City of San Antonio

Agenda Memorandum

Agenda Date: August 15, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2023-10700101

SUMMARY:

Current Zoning: "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-50" Multi-Family District

Requested Zoning: "IDZ-3 RIO-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay 2 Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District and "MF-50" Multi-Family District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 15, 2023. This case is continued from the July 18, 2023 and August 1, 2023 hearing.

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: Harry A. Halff and Eleanor Halff

Applicant: Harry A. Halff

Representative: Killen, Griffin & Farrimond, PLLC

Location: 218 East Josephine

Legal Description: Lots 1 and 2, Block 17, NCB 974

Total Acreage: 0.3099

Notices Mailed

Owners of Property within 200 feet: 16

Registered Neighborhood Associations within 200 feet: Tobin Hill Neighborhood Association

Applicable Agencies: Office of Historic Preservation, Fort Sam Houston Military

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. The property was rezoned by Ordinance 83331, dated December 14, 1995 to "B-3NA" Business, Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3NA" Business. Non-Alcoholic Sales District converted to "C-3NA" General Commercial Nonalcoholic Sales District. The property was rezoned by Ordinance 2019-01-17-0051, dated January 17, 2019, to "IDZ" Infill Development Zone with uses permitted in "C-2" Commercial District and "MF-50" Multi-Family 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: "I-1"

Current Land Uses: Laboratory

Direction: East

Current Base Zoning: "IDZ"

Current Land Uses: Condominium

Direction: South

Current Base Zoning: "C-3 NA"

Current Land Uses: Laboratory

Direction: West

Current Base Zoning: "C-3 NA"

Current Land Uses: Parking Lot

Overlay District Information:

The "RIO-2" River Improvement Overlay District is an overlay district to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

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: East Josephine Street

Existing Character: Collector

Proposed Changes: None known.

Thoroughfare: Karnes Street

Existing Character: Local

Proposed Changes: None known.

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

Routes Served: 20

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 multifamily dwelling is 1.5 spaces per unit. The maximum parking requirement for multifamily dwelling is 2.0 spaces per unit.

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

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “IDZ” Infill Development Zone provides flexible standards for the development and reuse of underutilized parcels within a qualifying area of the city. Although this district still exists, it is no longer approved for new properties.

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 proposed “IDZ-3” would allow “C-3” General Commercial uses and “MF-50” Multi-Family District with up to 50 units per acre.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located with the Midtown Regional Center and 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 and is currently designated as "Regional 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" Infill Development Zone District with uses permitted in "C-2" Commercial District and "MF-50" Multi-Family District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-3" High Intensity Infill Development Zone with uses permitted in "C-3" General Commercial District and "MF-50" Multi-Family District is also an appropriate. The proposed rezoning is to allow for more intense commercial uses from "C-2" base zoning district to "C-3" base zoning district while maintaining the established residential density. The requested rezoning is compatible with the adjacent base zoning districts of "C-3" General Commercial, "I-1" General Industrial and "IDZ" Infill Development Zone District. 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 Area 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 0.3099 acre site is of sufficient size to accommodate the proposed multi-unit and commercial development.
7. **Other Factors:** This property is designated in the River Improvement Overlay (RIO-2). Any proposed exterior alterations or new construction associated with the proposal will require approval from the Office of Historic Preservation. Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Office of Historic Preservation for this project.

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-3” General Commercial and “MF-50” Multi-Family uses. With a maximum density of fifty units per acre, the maximum number of dwelling units for the 0.3099-acre lot is fifteen (15) dwelling units.