



City of San Antonio

Agenda Memorandum

Agenda Date: April 16, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2024-10700055

SUMMARY:

Current Zoning: "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

Requested Zoning: "IDZ-1 AHOD" Low Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for two (2) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 16, 2024

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Madison G Tyler Jr.

Applicant: ADA Consulting Group, Inc.

Representative: Donald Oroian

Location: 903 South Pine Street

Legal Description: Lot 9, Block 3, NCB 661

Total Acreage: 0.117 acres

Notices Mailed**Owners of Property within 200 feet:** 38**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association**Applicable Agencies:** Planning Department**Property Details**

Property History: The subject property was part of the original 36 square miles of the City of San Antonio, and was originally zoned "C" Apartment District. The property was rezoned by Ordinance 62,587 dated March 27, 1986 to "B-2NA" Nonalcoholic Sales Business District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned "B-2NA" Nonalcoholic Sales Business District converted to the current "C-2NA" Commercial Nonalcoholic Sales District.

Code & Permitting Details:

CWO-INV-DWO22-28200057 (Demolition Work Order)- April 2022

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:** "RM-4"**Current Land Uses:** Residential Dwellings**Direction:** South**Current Base Zoning:** "RM-4", "C-3R"**Current Land Uses:** Residential Dwellings, vacant**Direction:** East**Current Base Zoning:** "RM-4", "IDZ-1", "R-3 CD", "R-2"**Current Land Uses:** Residential Dwellings**Direction:** West**Current Base Zoning:** "RM-4"**Current Land Uses:** 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 Pine Street

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Indiana Street

Existing Character: Local Street

Proposed Changes: None Known

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

Routes Served: 26, 28, 30, 230

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 a single-family residential unit is 1 parking space per unit. The minimum parking requirement for a two residential unit property is 1 parking space per unit.

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

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-2” Commercial Districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

“C-2NA” Commercial Nonalcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: “IDZ-1” Limited 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.

The “IDZ-1” base zone would permit two (2) dwelling units on the subject property.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of a 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 Arena District / Eastside Community Plan, adopted December 2003, and is currently designated as “Medium Density Residential” 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. The surrounding area is primarily zoned “RM-4” Residential Mixed District, which supports up to four (4) dwelling units per property.
3. **Suitability as Presently Zoned:** The current “C-2NA” Commercial Nonalcoholic Sales District is not an appropriate zoning for the property and surrounding area. The proposed “IDZ-1” Limited Infill Development Zone District with uses permitted for two (2) dwelling units is appropriate. The subject property is in a residential area, and proximate properties that are placed and sized similarly to the subject property are zoned for additional residential density. The proposal aligns with the existing development pattern, and the request aligns with the goals of the Strategic Housing Implementation Plan (SHIP), which encourages the development of housing stock to accommodate the city’s growing population.
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 Arena District / Eastside Community Plan:
 - 2. Land Use Guiding Principles
 - 2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations
 - 2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment
 - 4. Land Use Plan Goals
 - 4.1 Conserve existing neighborhoods
 - 4.2 Recommend new medium density single family and high density multifamily residential neighborhoods near Salado Creek to supplement existing ones

6. **Size of Tract:** The subject property is 0.117 Acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors** The applicant intends to rezone to “IDZ-2” to develop two residential units on the subject property.

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.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses, to include two (2) dwelling units.