



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 1, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2022-10700269

**SUMMARY:**

**Current Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with Uses Permitted in "MF-18" Low Density Multi-Family District and "NC" Neighborhood Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 18, 2022

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** S & S Properties LP

**Applicant:** S & S Properties LP

**Representative:** Patrick Christensen, P.C.

**Location:** 204 East Ashby Place

**Legal Description:** Lot 8, Block 3, NCB 1726

**Total Acreage:** 0.1779 Acres

### **Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Neighborhood Association and Monte Vista Neighborhood Association

**Applicable Agencies:** Fort Sam Houston and 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 "D" Apartment District. The property was rezoned to "R-3" Multiple Residence District by Ordinance 83331, dated December 14, 1995. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-3" Multiple Residence District converted to the current "MF-33" Multi-Family District.

**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:** "R-4" "MF-33" "C-2"

**Current Land Uses:** Residential Dwelling, Warehouse, Janitorial Supplier

**Direction:** South

**Current Base Zoning:** "RM-4" "IDZ" "MF-33"

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** "MF-33" "O-1" "C-3"

**Current Land Uses:** Residential Dwelling, Law Office, and Gas Station

**Direction:** West

**Current Base Zoning:** "MF-33" and "C-2"

**Current Land Uses:** Residential Dwelling, Law Office

### **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:** East Ashby Place

**Existing Character:** Collector

**Proposed Changes:** None Known

**Thoroughfare:** Ogden Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 5, 20, 90, 204

**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 residential development is 1.5 parking spaces per unit. The minimum parking requirement for most retail uses is 1 parking space per 300 square feet of gross floor area. The minimum parking requirement for a professional office is 1 parking space per 300 square feet of gross floor area.

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

## **ISSUE:**

None.

## **ALTERNATIVES:**

Current Zoning: "MF-33" Multi-Family District uses permitted are identical to those permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

Proposed Zoning: "IDZ-1" Limited Intensity Infill Development Zone 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 proposed "IDZ-1" would allow "MF-18" Multi-Family District and "NC" Neighborhood Commercial District.

## **FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center and is within a ½ mile of the New Braunfels Premium Transit Corridor and the San Pedro 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 Midtown Regional Center Plan and is currently designated as “Neighborhood 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 proposed use is consistent with the established development pattern of the surrounding area. There is a mix of commercial uses already established on the block, as well as professional offices and multi-family residential uses.
3. **Suitability as Presently Zoned:** The current “MF-33” Multi-Family District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-1” Limited Intensity Infill Development Zone with uses permitted for “MF-18” Multi-Family District and “NC” Neighborhood Commercial District. The property fronts a collector street at the front of the property and a local street to the rear, which can adequately handle parking and ingress/egress. The subject property is located west of McCullough Avenue and does not encroach on the primarily residential land use and zoning found to the east. Additionally, the proposed development will utilize the existing structure, retaining the aesthetic that contributes to the characteristic of the neighborhood.
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 Midtown Regional Center Plan:
  - Goal 1: Preserve Midtown’s Distinct Character
    - o Preserve Midtown’s essential character-defining elements: the diversity of people and the unique character of individual places and neighborhoods.
    - o Maintain buildings with exemplary historic character.
  - Goal 4: Support Unique, Mixed Activity Areas o Foster an appropriate mix, density, and or Zoning 101 Academy orientation of land uses in each part of Midtown to maintain the character of unique places, such as the North St. Mary’s Street music culture.
    - o Accommodate growth while preserving distinct characteristics of each part of Midtown and providing thoughtful transitions between uses.
  - Goal 5: Broaden Housing Choices
    - o Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.

o Conserve existing affordable housing and the existing diverse mix of housing types and expand affordable housing options.

6. **Size of Tract:** The subject property is 0.1779 Acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to “IDZ-1” Limited Intensity Infill Development Zone with uses permitted for “MF-18” Multi-Family District and “NC” Neighborhood Commercial District, to utilize the existing structure for residential, light retail, or professional office uses. The applicant would also like to possibly construct a second structure, to accommodate either an additional professional office or an additional residential unit.  
The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The site plan submitted by the applicant indicates a maximum of three (3) units.