



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-2576

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 3/19/2019

**Title:** ZONING CASE # Z-2019-10700019 (Council District 2): A request for a change in zoning from “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District to “IDZ-2 AHOD” Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and Bar and/or Tavern without cover charge 3 or more days per week on 0.478 acres out of NCB 617, located at 419 South Hackberry Street. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Ground Plan Comparison Form

| Date | Ver. | Action By | Action | Result |
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700019

**SUMMARY:**

**Current Zoning:** “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** “IDZ-2 AHOD” Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and Bar and/or Tavern without cover charge 3 or more days per week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 19, 2019

**Case Manager:** Dominic Silva, Planner

**Property Owner:** Michael & Angela Perez

**Applicant:** Michael & Angela Perez

**Representative:** Michael & Angela Perez

**Location:** 419 South Hackberry

**Legal Description:** 0.478 acres out of NCB 617

**Total Acreage:** 0.478

**Notices Mailed**

**Owners of Property within 200 feet:** 38

**Registered Neighborhood Associations within 200 feet:** Alamodome Gardens Neighborhood Association, Denver Heights Neighborhood Association

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The subject properties were included in the original 36 square miles of the City of San Antonio and were zoned "R-2" Residential District by Ordinance 79329, dated December 16, 1993. The property converted to the current "RM-4" with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Bar/Restaurant

**Direction:** West

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Residential

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** South Hackberry Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

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

Routes Served: 46 and 246.

**Thoroughfare:** Dashiell Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes Served: 46 and 246.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** Parking is reduced by 50% for “IDZ-2.”

Restaurant/Alcohol: 1 per 100 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject properties retaining the present zoning district designations. Examples of permitted uses within “RM-4” are: up to four (4) dwelling units, schools, churches, and single-family.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is located within ½ a mile of the Downtown Regional Center and within 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 the approval criteria below.

**1. Consistency:**

The property is located within the Downtown Neighborhood Plan, and is currently designated as “Residential” in the future land use component of the plan. The requested “IDZ-2” base zoning district is consistent with the future land use designation. Infill Development promotes residential and commercial revitalization for this area of downtown.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed development is for mixed use infill development of a café/restaurant/bar which is an appropriate use for a corner lot. The lot to the south of the property is zoned “C-2” and is currently a restaurant/ice house.

**3. Suitability as Presently Zoned:**

The current “RM-4” Residential Mixed is an appropriate zoning for the property and surrounding area. The “IDZ-2” proposes neighborhood commercial infill development.

**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 rezoning request does not appear to conflict with the land use goals and strategies of the Downtown Neighborhood Plan.

Downtown Neighborhood Plan Goals:

- Encourage the development of a grocery store and other neighborhood businesses within walking distance of the area.
- Develop and rehabilitate housing, parks, and businesses in existing neighborhoods.
- Enhance the desirability of east neighborhoods as a place to live by providing incentives for housing development and rehabilitation, improving parks, developing neighborhood businesses, enforcing codes related to property neglect and marketing the area.
- Ensure neighborhood development brings jobs for local residents.

### **6. Size of Tract:**

The subject property is 0.478 acres, which would adequately support mixed use infill development.

### **7. Other Factors:**

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

- The applicant's request meets the Master Plan's Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- The applicant's request the Master Plan's Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 1d, because it develops criteria and procedures for infill development which will enhance the character of neighborhoods.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.