



# City of San Antonio

## Legislation Details (With Text)

**File #:** 13-845

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/7/2013

**Title:** ZONING CASE # Z2013190 (District 2): An Ordinance amending the Zoning District Boundary from "RM-4 HS AHOD" Historic Significant Residential Mixed Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lots 11 and 12, Block 26, NCB 674 located at 1115 South Olive Street. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2013-190, 2. Z2013190, 3. Z2013190 Certificate of Appropriateness, 4. Draft Ordinance, 5. Ordinance 2013-11-07-0768

Date	Ver.	Action By	Action	Result
11/7/2013	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**SUBJECT:**  
Zoning Case Z2013190

**SUMMARY:**

**Current Zoning:** "RM-4 HS AHOD" Historic Significant Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 1, 2013

**Case Manager:** Osniel Leon, Planner

**Property Owner:** Ekbatana, Inc. (by Amir Sheikhi, President)

**Applicant:** Amir Sheikhi

**Representative:** Amir Sheikhi

**Location:** 1115 South Olive Street

**Legal Description:** Lots 11 and 12, Block 26, NCB 674

**Total Acreage:** 0.4637

**Notices Mailed**

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

**Neighborhood Associations:** Denver Heights Neighborhood Association (within 200 feet)

**Planning Team Members:** 25 - Arena District Eastside Community Plan

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned “C” Apartment District. In a 1993 city-initiated large-area case, the property was rezoned to “R-2” Two Family Residence District. The “HS” Historic Significant designation was approved in 1988 as part of a City-initiated historic landmark effort. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “RM-4 HS” Historic Significant Residential Mixed District. The property is currently undeveloped.

**Topography:** The property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

**Adjacent Zoning and Land Uses**

**Direction:** Northwest, North and East

**Current Base Zoning:** “RM-4”, “RM-4 S”

**Current Land Uses:** Single-family residences, undeveloped land

**Direction:** South and West

**Current Base Zoning:** “C-2”, “C-3R”, “C-3”, “C-1” and “C-2NA”

**Current Land Uses:** Undeveloped land, single-family residences, restaurant, gas station, and vacant commercial structures.

**Overlay and Special District Information:** 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 Olive Street and Florida Street

**Existing Character:** Local Streets; one lane in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Aransas Avenue

**Existing Character:** Collector; one lane in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** VIA bus lines number 28 and 230 operate along Aransas Avenue, south of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Off-street vehicle parking requirements for residential uses are determined by the number of dwelling units.

4-Family Dwelling - Minimum requirement: 1.5 spaces per dwelling unit; Maximum allowance: 2 spaces per dwelling unit.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the zoning request will result in the subject property retaining the existing Historic Significant Residential Mixed District.

**FISCAL IMPACT:**

None. The zoning request is eligible for the Inner City Reinvestment Infill Policy fee waiver. The Development Services Department fees will be reimbursed through grant funding.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the Arena District/Eastside Community Plan, and is currently designated as Medium Density Residential in the future land use component of the plan. The “RM-4” base zoning district is consistent with the adopted land use designation.

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

Removal of the Historic Significant designation will not affect the range of permitted uses of the subject property, because potential uses are determined by the base zoning district. Most residential properties in the immediate vicinity are currently zoned “RM-4”.

**3. Suitability as Presently Zoned:**

The existing “RM-4” zoning district is consistent with the adopted land use designation and is appropriate for the subject property. The zoning request does not include a change to the base zoning district and residential uses will continue to be a permitted use on the property.

**4. Health, Safety and Welfare:**

Staff has found no evidence of likely negative effects on the health, safety or welfare of the surrounding community should the zoning request be approved.

**5. Public Policy:**

The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

**6. Size of Tract:**

The subject property measures 0.463 of an acre, which is of sufficient size to accommodate the uses permitted

in the “RM-4” district.

**7. Other Factors:**

According to the Office of Historic Preservation records, the former house was designated as an individual historic landmark on October 27, 1988. In 1995, the house was identified as a dangerous premise by the Code Compliance Department and was approved for demolition the same year. On September 18, 2013, the Historic and Design Review Commission approved the removal of the property’s Historic Significant designation.