



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-2387

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 4/4/2017

**Title:** ZONING CASE # Z2017095 (Council District 2): A request for a change in zoning from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with six (6) single-family dwelling units on Lots 23 and 24, Block 1, NCB 2923, located at 113 Paul Street. Staff recommends Denial.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2017095

**SUMMARY:**

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

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with six (6) Single-Family Dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 4, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Elbert Fuqua

**Applicant:** Elbert Fuqua

**Representative:** Elbert Fuqua

**Location:** 113 Paul Street

**Legal Description:** Lots 23 and 24, Block 1, NCB 2923

**Total Acreage:** 0.2121

**Notices Mailed**

**Owners of Property within 200 feet:** 40

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was included in the original 36 square miles of the City of San Antonio and was previously zoned "C" Apartment District. A 1993 case (Ordinance 79329) rezoned the subject property as "R-2" Two Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "RM-4" Residential Mixed District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Residential, Church, Parking Lot

**Direction:** West

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Residential, Vacant Lot

**Direction:** South

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Residential, Vacant Lot

**Direction:** East

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Residential, Vacant Lot

**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:** Paul Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** South Pine Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA route 26 is within walking distance from the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. Infill Development (IDZ) is exempt from TIA requirements..

**Parking Information:** The “IDZ” Infill Development Zone District waives off-street vehicle parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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” Infill Development Zone base zoning district is consistent with the future land use designation.

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

The property owner requests this zone change in order to construct 6 single-family detached dwellings and while the requested “IDZ” relaxes parking and setback requirements, the proposed 6 single-family homes on this subject property are too dense.

**3. Suitability as Presently Zoned:**

The current “RM-4” base zoning district is appropriate for the subject property’s location; however, IDZ with an appropriate residential density is also an appropriate use for the subject property.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request does not appear to conflict with any public policy objective, because the request is consistent with the plan.

**6. Size of Tract:**

The subject property totals 0.2121 acres in size, is not ideal for the proposed density in the “IDZ” Infill

Development Zone District.

**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, lot sizes, and setbacks.