



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-2664

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/19/2018

**Title:** ZONING CASE # Z2018122 (Council District 2): Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-18" Limited Density Multi-Family District on Lot 35, 36, 37 and the east 5-feet of Lot 34, Block 40, NCB 1608, located at 215 Porter Street. Staff recommends Denial. Zoning Commission recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2018-04-19-0311

Date	Ver.	Action By	Action	Result
4/19/2018	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018122

**SUMMARY:**

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

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-18" Limited Density Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 20, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Grand Central Texas Development Corporation

**Applicant:** David Dinoff

**Representative:** Peter French

**Location:** 215 Porter Street

**Legal Description:** Lot 35, 36, 37 and the east 5-feet of Lot 34, Block 40, NCB 1608

**Total Acreage:** 0.2755

**Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was located in the Original 36 square-mile City Limits of San Antonio and was zoned "D" Apartment District. The zoning changed to "R-2" Two-Family Residence District, established by Ordinance 79329, dated December 16, 1993. The current "RM-4" Residential Mixed District converted from the previous "R-2" upon adoption of the 2001 Unified Development Code (Ordinance 63881, dated May 3, 2001).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**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

**Direction:** South

**Current Base Zoning:** RM-4

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

**Direction:** West

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Residential

**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:** Porter Street

**Existing Character:** Collector

**Proposed Changes:** None known

**Public Transit:** There is a bus stop (Stop #37739) within walking distance on Porter Street which is along Bus Routes 28 and 230.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. IDZ does not require a TIA Report.

**Parking Information:** IDZ waives parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center. The subject property is located within a half (½)-mile of the New Braunfels Avenue Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission recommends Approval (9-1).

**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 land use component of the plan. The requested “IDZ” base zoning district is consistent with the adopted land use designation.

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

Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. The surrounding area primarily consists of single-family residential dwelling units. The proposed “IDZ” introduces multi-family zoning to a single-family residential area.

**3. Suitability as Presently Zoned:**

The existing “RM-4” base zoning district is appropriate for the surrounding area. The area is predominately “RM-4” zoning. However, most of the properties contain single-family dwellings, and Residential Mixed zoning permits up to four (4) units on each property. The rezoning to “IDZ” adds one additional unit for the lot that is not consistent with the surrounding area.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The subject property is currently vacant, and the proposed use is for five (5) dwelling units preserves the residential character of the area.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The request for “IDZ” does meet some of the listed criteria for Infill Development consideration.

**6. Size of Tract:**

The 0.2755 acre site is of sufficient size to accommodate the proposed 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.

Additionally, the applicant’s request for IDZ is consistent with the following criteria:

- The applicant’s request meets the Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The applicant’s request the Master Plan’s Policy for Neighborhoods - Policy 1d, because it promotes conversion or adaptive reuse of vacant or underutilized commercial buildings to provide affordable infill housing.