



# City of San Antonio

## Agenda Memorandum

**File Number:** 18-2402

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**Agenda Item Number:** 6.

**Agenda Date:** 3/20/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018105

(Associated Plan Amendment 18029)

**SUMMARY:**

**Current Zoning:** "MF-33 H AHOD" Multi-Family Tobin Hill Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ H AHOD" Infill Development Zone Tobin Hill Historic Airport Hazard Overlay District for three (3) Attached Single-Family Residences

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 20, 2018. This case is continued from the March 6, 2018 Zoning hearing.

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** TIGG, LLC

**Applicant:** Donald Oroian

**Representative:** Donald Oroian

**Location:** 416 Kendall Street

**Legal Description:** the south 50 feet of Lot 1 and Lot 2, Block 15, NCB 1742

**Total Acreage:** 0.130

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** The Tobin Hill Community Plan

**Applicable Agencies:** Office of Historic Preservation

### **Property Details**

**Property History:** The property was a part of the original 36-square miles of the City of San Antonio and was zoned "D" Apartment District. The property was a part of a large area rezoning and was changed from "D" to "R-3" Multiple Family Residence District by Ordinance 83331, dated December 14, 1995. The property converted from "R-3" to the current "MF-33" with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**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-6"

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

**Direction:** East

**Current Base Zoning:** "R-6"

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

**Direction:** South

**Current Base Zoning:** "R-6", "IDZ"

**Current Land Uses:** Church, Attached Single-Family Residences

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Duplex, Attached Single-Family Residences

### **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.

"H"

The surrounding properties are located in the Tobin Hill Historic District, which was adopted in November 29, 2007. Historic districts do not regulate use of the property, but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

### **Transportation**

**Thoroughfare:** Kendall Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** East Locust Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 5 and 8 are within walking distance of subject property.

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

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

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “MF-33”, which currently permits multi-family dwellings, single-family dwellings (detached, attached or townhouse), two-family dwellings, three-family dwellings, four-family dwellings, row-house or zero-lot line dwellings, with a maximum density of 33 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The property is located with the Midtown Regional Center and within ½ of a mile of the New Braunfels Avenue Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending the Plan Amendment.

**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 Tobin Hill Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ” is not consistent with the future land use designation. The applicant is requesting a land use amendment from “Low Density Residential” to “Medium Density Residential” to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval of the Plan Amendment.

**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 rezoning is in an area with a mix of housing densities.

**3. Suitability as Presently Zoned:**

The current “MF-33” base zoning is appropriate zoning for the property and surrounding area. The adjacent properties carry a mix of residential zonings to include “MF-33”, “RM-4”, “R-6” and “IDZ”.

**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 proposed rezoning does appear to conflict with the goals, principles, and objectives of The Tobin Hill Neighborhood Plan. The plan promotes a variety of housing options and densities. The requested “IDZ” is in line with established development pattern of the area.

Relevant Goals and Objectives of the Tobin Hill Neighborhood Plan:

- Objective 2.4: Housing Diversity - Promote a diverse variety of housing stock in the neighborhood that sustains all ages and economic groups.
- Objective 2.4.1: While preserving the neighborhood’s historic housing inventory, encourage the utilization of available land to develop single family homes in the residential core of the neighborhood and, where appropriate, higher density housing (townhomes, condos, and apartments) in areas designated as Low Density and High Density Mixed Use.
- Goal 5: Development Type and Design - Promote development that is compatible with existing development and encourage design that takes into account the existing character and scale of the neighborhood.

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

The subject property measures 0.130 which should reasonably accommodate the proposed development of three townhomes.

## **7. Other Factors:**

This property is located within the Tobin Hill Historic District. Any new construction will require approval from the Historic and Design Review Commission. Approval of a site plan or materials submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Historic and Design Review Commission for this project. Additionally, based on the submitted site plan, there are conflicts with the Historic Design Guidelines and the proposed project.

The requested “IDZ” base zoning is supported by the following criteria:

- 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 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 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 Neighborhoods - Policy 4a, because it preserves and revitalizes housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.
- 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.