



# City of San Antonio

## Agenda Memorandum

**File Number:**20-1773

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**Agenda Item Number:** Z-14.

**Agenda Date:** 2/20/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2019-10700289

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Low Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "R-4" Residential Single-Family and for a Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2019

**Case Manager:** Michael Pepe, Planner

**Property Owner:** John R. Cermin

**Applicant:** Brown and Ortiz, P.C.

**Representative:** Brown and Ortiz, P.C.

**Location:** 364 Betty Jean Street

**Legal Description:** Lot 1, Block 6, NCB 7582

**Total Acreage:** 0.5630

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation

## **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1256 dated August 3, 1944. The property was assigned zoning to “D” Apartment and “B” Two Family Residence in 1948. Property was then converted to “MF-33” Multifamily and “R-4” Residential Single Family in 2001 with the adoption of the 2001 UDC. In 2016, the property was rezoned "R-4" Residential Single-Family by Ordinance 2016-06160493.

**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:** “UZROW”

**Current Land Uses:** Interstate 37

**Direction:** East

**Current Base Zoning:** “UZROW”

**Current Land Uses:** Interstate 37

**Direction:** West

**Current Base Zoning:** “R-4”

**Current Land Uses:** Single Family Dwellings

**Direction:** South

**Current Base Zoning:** “R-4”

**Current Land Uses:** Single Family Dwellings

## **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:** Betty Jean

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Hillje

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes Served: 20

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

**Parking Information:** The parking minimum for a professional office is 1 space per 300 square feet.

**ISSUE:**

None.

**ALTERNATIVES:**

**Proposed:**The “R-4” Residential Single Family District allows a Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**Current:**The requested zoning change would result in the subject property retaining the uses allowed within the “R-4” district, and the additional right to operate a professional office where indicated on the submitted site plan.

**FISCAL IMPACT:**

None.

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

The property is located within the Brooks Regional Center. The property is also within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (6-2) recommends 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 Brooks Regional Center Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “IDZ-1” is consistent with the existing “Urban Low Density Residential” land use.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested “IDZ-1” with uses permitted for a professional office introduces a commercial pattern not yet established in this entirely single-family area.

**3. Suitability as Presently Zoned:**

The current “R-4” zoning is appropriate for the property and surrounding area. The proposed “IDZ-1” would not be appropriate for the lot or the surrounding area, as it would allow a commercial use directly adjacent to small single-family homes and allow large signage, outside of the residential character of the area. Further, the limited access to this site at the end of a small street would bring traffic through residential streets.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. The proposed rezoning creates commercial

**5. Public Policy:**

The subject property is located within the SA Tomorrow Brooks Area Regional Center.

The proposed rezoning conflicts with the following goals and policies recommended in the plan:

- The Brooks Area community welcomes this growth on the south side and the increased shopping, hospitality, and transit amenities it can attract and support. However, area residents have also expressed a desire to respect and maintain the character of traditionally single family, residential-focused neighborhoods. While all neighborhoods will change over time, this evolution can be managed by directing much of the anticipated growth to the Regional Center's designated focus areas, mixed-use corridors, and VIA transit stations.

"IDZ"

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.

- 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.

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

The subject property is 0.5630 acres, which could reasonably accommodate residential and professional office use.

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

The applicant is proposing to develop a small office and place a sign on the site, as is it adjacent to Interstate 37. However, Chapter 28 limits the height of the sign abutting residentially zoned or used properties to 8 feet high, 10 feet away from the property line, and allows for additional height for every foot setback. For a 40 foot tall sign, the sign needs to be 42 feet away from the property lines.