



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-2890  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 5/5/2015  
**Title:** ZONING CASE # Z2015161 (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 uses permitted in "RM-4" Residential Mixed District and "O-1" Office District on Lot 8, Block 15, NCB 1534 located at 1614 Martin Luther King Drive. Staff recommends Approval.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Z2015161 Location Map

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

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**  
Zoning Case Z2015161

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

**Requested Zoning:** "IDZ AHOD" Infill Development Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District and "O-1" Office District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** May 5, 2015

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** John and Irma Nelson

**Applicant:** John and Irma Nelson

**Representative:** John and Irma Nelson

**Location:** 1614 Martin Luther King Drive

**Legal Description:** Lot 8 Block 15 NCB 1534.

**Total Acreage:** 0.1695

**Notices Mailed**

**Owners of Property within 200 feet:** 24

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

**Planning Team:** Arena District/Eastside Community Plan - 22

**Applicable Agencies:** None

**Property Details**

**Property History:** The property is located within the City of San Antonio's Original Thirty-Six Square Mile. The property was originally zoned as "J" Commercial District (1938 Zoning District). On December 16, 1993, the property was rezoned from "J" Commercial District to "R-2" Two-Family Residential District (Ordinance 79329). Upon the adoption of the 2001 Unified Development Code, the zoning district changed to "RM-4" Residential Mixed District classification.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** East and North

**Current Base Zoning:** "RM-4", "C-3R", "RM-4 S"

**Current Land Uses:** single-family homes, and two-family dwellings, apartments, Auto Repairs, parking lot, and college.

**Direction:** West, South

**Current Base Zoning:** "RM-4", and "C-1"

**Current Land Uses:** single-family homes, and two-family dwellings, apartments, barbershop, and party rentals.

**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:** Martin Luther King Drive

**Existing Character:** Secondary Arterial Type B 70' - 86'.

**Proposed Changes:** None known.

**Thoroughfare:** Meerscheidt Street

**Existing Character:** Local Street.

**Proposed Changes:** None known

**Public Transit:** There is a VIA bus stop located at the intersection of Martin Luther King Drive at South Gevers Street (Route 26), one city block from the subject property.

**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:** Dwelling - 4 Family cluster parking: 1.5 per unit. Maximum Parking Requirement: 2 per unit.

**Parking Information:** Professional Office: 1- per 300 sf. GFA. Maximum Parking Requirement: 1 per 140 sf. GFA

The “IDZ” Infill Development Zone District eliminates off-street vehicle parking requirements. The zoning application refers to a professional office mixed use development, with the inclusion of a small residential unit. The preliminary site plan proposes 5 parking spaces which include one ADA accessible parking space.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District zoning.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

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

**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 Arena District/Eastside Community Plan and is designated as a “Medium Density Residential” land use. The requested "IDZ AHOD" Infill Development Airport Hazard Overlay District with uses permitted in “RM-4” Residential Mixed District and “O-1” Office base zoning district are not consistent with the adopted land use designation. The applicant has applied for a Plan Amendment to change the designation to “Mixed Use” land use. Staff and the Planning Commission recommended approval of the Plan Amendment.

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

Staff has found no evidence of likely adverse impacts on surrounding properties.

**3. Suitability as Presently Zoned:**

The development meets the intent of the “IDZ” Infill Development Zone which is to encourage and facilitate development on a redevelopment of underutilized buildings or structures within existing built-up areas. The property is currently zoned “RM-4” Mixed Residential District but the property includes a warehouse/garage on the property. The proposed “Mixed Use” land use classification will provide consistency with the surrounding area and allow the applicant to seek the appropriate zoning of “IDZ” with uses permitted in the “RM-4” Residential Mixed District.

**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 request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is 0.1695 acres in size, which accommodates the proposed development with adequate space for parking.

**7. Other Factors:**

None.