



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3927  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 7/19/2016  
**Title:** ZONING CASE # Z2016193 (Council District 1): A request for a change in zoning from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with Five (5) Single-Family Units on 0.17 acres out of NCB 395, located at 846 Erie Avenue. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16054)  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Z2016-193 Location Map, 2. Site Plan Z2016193

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

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2016193  
(Associated Plan Amendment 16054)

**SUMMARY:**

**Current Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District for Five (5) Single-Family Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 19, 2016

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** SAMA Developers, LLC

**Applicant:** Armando Saide

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

**Location:** 846 Erie Avenue

**Legal Description:** 0.17 acres out of NCB 395

**Total Acreage:** 0.17

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was a part of the original City of San Antonio city limits and was originally zoned "E" Office District. The subject property was then rezoned from "E" to "R-3" Multiple-Family Residential District in 1995 as part of a large area rezoning (Ordinance 83331). Upon adoption of the 2001 Unified Development Code, the previous "R-3" base zoning district converted to the current "MF-33" Multi-Family Residential District.

**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:** R-6, IDZ, C-2S

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

**Direction:** East

**Current Base Zoning:** RM-4

**Current Land Uses:** Parking Lot, Multi-Family Residential

**Direction:** South

**Current Base Zoning:** MF-33, C-2, C-2 S, RM-4

**Current Land Uses:** Hospital, Vacant Multi-Family Residential, Parking Lot

**Direction:** West

**Current Base Zoning:** C-2 S

**Current Land Uses:** Hospital

**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:** Erie Avenue

**Existing Character:** Local Road

**Proposed Changes:** None known

**Thoroughfare:** East Laurel Street

**Existing Character:** Local Road

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus route is #5 which stops at the intersection of McCullough Avenue and Brooklyn Avenue to the southwest of the property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. “IDZ” Infill Development Zone is exempt from the TIA.

**Parking Information:** “IDZ” Infill Development Zone is exempt from vehicle parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present “MF-33” zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending 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 Medium Density Residential in the future land use component of the plan. The requested “IDZ” zoning is not permitted under the current land use designation. The applicant has applied for a Plan Amendment to change the land use classification to Low Density Mixed Use. Staff and Planning Commission recommend approval.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The property currently has one structure with multiple residential units within it which the applicant proposes demolishing. The requested “IDZ” base zoning is more suitable because it will allow for the owner to develop five single-family detached residential units on their own individual lots creating an opportunity for home ownership. In addition, the current zoning is not consistent with the adopted land use designation of Medium Density Residential.

**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. The zoning change request meets the goal of the Tobin Hill Community Plan by encouraging the utilization of available land to develop single family homes in the residential core of the neighborhood and, where appropriate, higher density housing such as

townhomes, condos, and apartments. In addition, the zoning change request meets the goal of improving the quality, appearance, and variety of housing while increasing home ownership and investment in the area.

**6. Size of Tract:**

The subject property measures 0.17 acres tract is sufficient to accommodate the proposed use and parking requirements.

**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.