



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-2546

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/20/2017

**Title:** ZONING CASE # Z2017065 (Council District 1): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District on the East 110 feet of Lots 2 and 4, Block 25, NCB 366, and the West 64 feet of Lots 2 and 4, Block 25, NCB 366, and Lot 6, Block 25, NCB 366, and Lot 8 except the South 15 feet of West 28 feet, Block 25, NCB 366, located at 411 and 415 Lewis Street and 302 and 312 West Evergreen Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2017065 Site Plan, 2. Z2017065 Location Map, 3. Z2017065 Minutes, 4. Draft Ordinance.pdf, 5. Ordinance 2017-04-20-0270

Date	Ver.	Action By	Action	Result
4/20/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017065

**SUMMARY:**

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

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 21, 2017. This case was continued from the March 7, 2017 hearing.

**Case Manager:** Erica Greene, Planner

**Property Owner:** Bold Creek Investments, LLC

**Applicant:** David Dye III

**Representative:** David Dye III

**Location:** 411 and 415 Lewis Street and 302 and 312 West Evergreen Street

**Legal Description:** East 110 feet of Lots 2 and 4, Block 25, NCB 366, and the West 64 feet of Lots 2 and 4, Block 25, NCB 366, and Lot 6, Block 25, NCB 366, and Lot 8 except the South 15 feet of West 28 feet, Block 25, NCB 366

**Total Acreage:** 0.8969

**Notices Mailed**

**Owners of Property within 200 feet:** 25

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City and was previously zoned "E" Office District. A 1995 case, Ordinance #83331 zoned the subject property as "R-3" Multiple Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "MF-33" Multi-Family District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

**Current Land Uses:** College

**Direction:** West

**Current Base Zoning:** MF-33

**Current Land Uses:** Multi-Family Housing

**Direction:** South

**Current Base Zoning:** C-1

**Current Land Uses:** Medical Office

**Direction:** East

**Current Base Zoning:** C-1, IDZ

**Current Land Uses:** Office Building, Multi-Family Housing

**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:** Lewis Street

**Existing Character:** Local Street

**Proposed Changes:** None

**Thoroughfare:** West Evergreen Street

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus route is #4 within walking distance of the subject property.

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

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

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend 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 Tobin Hill Community Plan, and is currently designated as High Density Mixed Use in the future land use component of the plan. The requested "IDZ" Infill Development Zone base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Properties within 200 feet of the subject property include a mix of multi-family housing and IDZ uses.

**3. Suitability as Presently Zoned:**

The current "MF-33" base zoning district is appropriate for the subject property's location. The requested zoning district of “IDZ” with uses permitted in "MF-33" Multi-Family District is also appropriate for the subject property's location.

**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 applicant requests a zoning change to allow for a townhouse development. The properties that are located around the subject property include several multi-family dwellings. The rezoning request does not appear to

conflict with land use goals and strategies of the Tobin Hill Community Plan to improve the quality, appearance, and variety of existing and new housing for all ages while increasing home ownership and investment in the area.

**6. Size of Tract:**

The subject property totals 0.8969 acres in size, which should reasonably accommodate the uses permitted in "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District.

**7. Other Factors:**

The applicant proposes a total of twenty-seven townhomes on the subject property.

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.