



City of San Antonio

Legislation Details (With Text)

File #: 18-1911

Type: Zoning Case

In control: Zoning Commission

On agenda: 2/20/2018

Title: ZONING CASE # Z2018087 (Council District 1): A request for a change in zoning from "RM-4 RIO-4 NCD-1 AHOD" Residential Mixed River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation District Airport Hazard Overlay District to "IDZ RIO-4 NCD-1 AHOD" Infill Development Zone River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation District Airport Hazard Overlay District with uses permitted for five (5) residential dwelling units on Lot 12, Block 15, NCB 3078, located at 1602 South Saint Mary's Street and 140 Biering Avenue. Staff recommends Denial.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:
Zoning Case Z2018087

SUMMARY:

Current Zoning: "RM-4 RIO-4 NCD-1 AHOD" Residential Mixed River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation District Airport Hazard Overlay District

Requested Zoning: "IDZ RIO-4 NCD-1 AHOD" Infill Development Zone River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation District Airport Hazard Overlay District with uses permitted for five (5) residential dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 20, 2018

Case Manager: Angela Cardona, Planner

Property Owner: Maria Venegas

Applicant: Maria Venegas

Representative: Maria Venegas

Location: 1602 South Saint Mary's Street and 140 Biering Avenue.

Legal Description: Lot 12, Block 15, NCB 3078

Total Acreage: 0.14 acres

Notices Mailed

Owners of Property within 200 feet: 21

Registered Neighborhood Associations within 200 feet: Lavaca Neighborhood Association

Applicable Agencies: Office of Historic Preservation, World Heritage Office, Planning Department

Property Details

Property History: The subject property falls within the original 36 square miles of the City and was zoned “R-2” Two-Family Residence District. Upon adoption of the Unified Development Code in May, 2001 (Ordinance 93881) the property converted to the current “RM-4” Residential Mixed 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: “RM-4”

Current Land Uses: Single- Family Residential

Direction: South

Current Base Zoning: “RM-4”

Current Land Uses: Single- Family Residential

Direction: East

Current Base Zoning: “RM-4”

Current Land Uses: Single-Family Residential

Direction: West

Current Base Zoning: “RM-4”

Current Land Uses: High School

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.

All surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

The South Presa Street Neighborhood Conservation District (NCD-1) is an overlay zoning district that contains

design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department

Transportation

Thoroughfare: South Saint Mary's Street

Existing Character: Arterial Type A

Proposed Changes: None Known

Thoroughfare: Biering Avenue

Existing Character: Local Street

Proposed Changes: None Known

Public Transit: The nearest VIA bus route #34, #42, #242 and #36 are within walking distance of the subject property.

Traffic Impact: A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

Parking Information: Infill Development Zone (IDZ) requests are exempt from parking requirements.

ISSUE:

The applicant is seeking "IDZ" zoning to allow for a fifth dwelling unit to be an added use to the existing property which is currently non-compliant with required development parking standards for the existing dwelling units.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The current zoning "RM-4" Residential Mixed District allows for Single-Family dwelling (detached, attached or townhouse), two-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is adjacent to the Downtown Regional Center but is not within proximity to a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial

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 Lavaca Neighborhood Plan and is currently designated as "Mixed

Use”. The requested “IDZ” is consistent with the future land use component of the plan.

2. Adverse Impacts on Neighboring Lands:

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change because of the increase in density to a primarily single-family residential block and the lack of required off street parking that would be restricted on the local street, as St. Mary’s Street is unsuitable for additional on-street parking.

3. Suitability as Presently Zoned:

The current “RM-4” base zoning district is appropriate for the subject property’s location as it is currently surrounded by residential uses.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health or welfare, but there is a concern for safety as the increase of on street parking may create hazards for navigation of vehicular and pedestrian traffic.

5. Public Policy:

The rezoning request does appear to conflict with land use goals and strategies of the Lavaca Neighborhood Plan to investigate ways to mitigate parking problems generated by residents, visitors, and local employers.

The proposed zoning change is consistent with several goals and policies of the SA Tomorrow Comprehensive Plan. However, the request is not consistent with goals and policies concerning compatibility of infill development with surrounding neighborhoods. While the structure proposed for use as the fifth dwelling currently exists, the requested zoning will permit the use of the property for multi-family dwellings without the required, or any, off-street parking and building setbacks.

6. Size of Tract:

The 0.14 acre tract is an appropriate size for the existing residential units. The “RM-4” zoning district on the noted acreage allows for approximately 2 units.

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.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all exterior work for any property with the historic overlay. Exterior work requires a Certificate of Appropriateness before work begins. Approval of a zoning change does not imply approval of or take the place of design review as directed by the UDC.