



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4882  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 8/21/2018  
**Title:** ZONING CASE # Z2018275 (Council District 1): A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted for four (4) residential dwelling units on 0.303 acres out of NCB 771, located at 96 Lewis Street. Staff recommends Approval.  
**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 Z2018275

**SUMMARY:**  
**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted for four (4) residential dwelling units

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** August 21, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Heaven Sent Property Solutions, LLC

**Applicant:** Heaven Sent Property Solutions, LLC

**Representative:** Patrick Christensen

**Location:** 96 Lewis Street

**Legal Description:** 0.303 acres out of NCB 771

**Total Acreage:** 0.303

**Notices Mailed**

**Owners of Property within 200 feet:** 15

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

**Applicable Agencies:** Fort Sam Houston

**Property Details**

**Property History:** The subject property was located in the Original 36 Square-Mile City Limits of San Antonio and was zoned "E" Office District. The zoning changed to "B-2" Business District on December 14, 1995, established by Ordinance 83331. The current "C-2" Commercial District converted from the previous "B-2" base zoning district upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001.

**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:** C-1, C-2

**Current Land Uses:** Multi-Family, Vacant Lot, Women's Center

**Direction:** East

**Current Base Zoning:** C-2, C-3

**Current Land Uses:** Vacant Commercial, Duplex, Office

**Direction:** South

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant Lot, Parking Lot, Office

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Restaurant with Drive-Thru

**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 known

**Public Transit:** There are bus stops within walking distance on San Pedro Avenue along Bus Routes 4, 95, 96, 97, 204, and 296.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. Infill Development Zone is waived from TIA requirements.

**Parking Information:** The “IDZ” base zoning district waives parking requirements.

**ISSUE:**  
None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “C-2” base zoning district accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining

**FISCAL IMPACT:**  
None.

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

The subject property is located within the Midtown Regional Center and within a half-mile of the San Pedro Premium Transit Corridor.

**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 subject property is located within the Tobin Hill Land Use Plan and is currently designated as “Mixed Use” in the land use component of the plan. The requested “IDZ” base zoning district is consistent with the adopted land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. There are currently residential uses to the east of the subject property.

**3. Suitability as Presently Zoned:**

The existing “C-2” base zoning district is appropriate for the surrounding area, but is not appropriate for the subject property. While there are commercial uses to the west of the property, the block in which the property is located consists of less intense uses such as residential and a women’s center.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The property currently consists of a dilapidated structure which is being proposed to be demolished and four (4) new

structures would be constructed on the property.

#### **5. Public Policy:**

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

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

The 0.303 acre site is of sufficient size to accommodate the proposed development.

#### **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.

Additionally, the applicant's request for IDZ is consistent with the following criteria:

- Master Plan's Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- Master Plan's Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- Master Plan's Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.
- Master Plan's Policy for Neighborhoods - Policy 1d, because it promotes conversion or adaptive reuse of vacant or underutilized commercial buildings to provide affordable infill housing.
- Master Plan's Policy for Neighborhoods - Policy 4a, because it preserves and revitalizes housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.
- Master Plan's Policy for Urban Design - Policy 1d, because it develops criteria and procedures for infill development which will enhance the character of neighborhoods.
- Master Plan's Policy for Urban Design - Policy 1e, because it allows zero setbacks for commercial and multi-family developments.

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.