



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1316

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/17/2019

**Title:** ZONING CASE # Z-2018-900041 (Council District 1): Ordinance amending the Zoning District Boundary from RM-4 AHOD" Residential Mixed Airport Hazard Overlay District and "RM-4 UC-4 AHOD" Residential Mixed North Saint Mary's Urban Corridor Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-40" Multi-Family District and "IDZ UC-4 AHOD" Infill Development Zone North Saint Mary's Urban Corridor Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-40" Multi-Family District on Lot 13, Block 4, NCB 830, located at 923 East Elmira Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-01-17-0053

Date	Ver.	Action By	Action	Result
1/17/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2018-900041

**SUMMARY:**

**Current Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District and "RM-4 UC-4 AHOD" Residential Mixed North Saint Mary's Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-40" Multi-Family District and "IDZ UC-4 AHOD" Infill Development Zone North Saint Mary's Urban Corridor Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-40" Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 18, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Master Property Partners, Ltd.

**Applicant:** Barclay Anthony

**Representative:** Stephanie Stolte

**Location:** 923 East Elmira Street

**Legal Description:** Lot 13, Block 4, NCB 830

**Total Acreage:** 0.3007

**Notices Mailed**

**Owners of Property within 200 feet:** 41

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

**Applicable Agencies:** Fort Sam Houston

**Property Details**

**Property History:** The property was a part of the original 36-square miles of the City of San Antonio and was zoned "D" Apartment District to "R-2" Two Family Residence District by Ordinance 83331, dated December 14, 1995. The property converted from "R-2" to the current "RM-4" with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "RM-4", "MF-33", "C-3NA", "C-2P", "RM-4"

**Current Land Uses:** Vacant Lot, Apartments, Federal Credit Union, Duplex, Single-Family Residence

**Direction:** East

**Current Base Zoning:** "MF-33", "C-3NA"

**Current Land Uses:** Apartments, Vacant Lot

**Direction:** South

**Current Base Zoning:** "IDZ", "C-3R", "C-2P"

**Current Land Uses:** Shopping Mall, Vacant Lots

**Direction:** West

**Current Base Zoning:** "C-3NA"

**Current Land Uses:** Federal Credit Union

**Overlay and Special District Information:**

"AHOD"

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:** East Elmira Street  
**Existing Character:** Local Street  
**Proposed Changes:** None Known

**Thoroughfare:** Mc Lane Street  
**Existing Character:** Local Street  
**Proposed Changes:** None Known

**Public Transit:** VIA bus route 8 and 11 are within walking distance of the properties.

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

**Parking Information:**

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

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “RM-4” which permits single-family dwellings (detached, attached or townhouse), two-family dwellings, three-family dwellings, four-family dwellings, 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 property is located within the Midtown Regional Center and is located within ½ of a mile of the New Braunfels Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend 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 within the Tobin Hill Community Plan and is designated as “Low Density Mixed Use”. The request for rezoning to “IDZ” 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.

**3. Suitability as Presently Zoned:**

The current “C-3R” and “C-2P” are appropriate base zoning for the property and surrounding area. The requested “IDZ” with “C-2” and “MF-40” uses are also appropriate.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The proposed rezoning is requested in order to develop the property into a mixed use which is established in this area.

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

The proposed rezoning does not appear to conflict with the goals and guiding principles of the Tobin Hill Neighborhood Plan. The plan promotes a variety of housing options and densities. The properties are located adjacent to the future expansion of The Pearl development to the east. The requested "IDZ" is consistent with the current and future development pattern of the area.

Relevant Goals and Objectives of the Tobin Hill Neighborhood Plan:

Objective 2.4: Housing Diversity - Promote a diverse variety of housing stock in the neighborhood that sustains all ages and economic groups.

Objective 2.4.1: While preserving the neighborhood's historic housing inventory, encourage the utilization of available land to develop single family homes in the residential core of the neighborhood and, where appropriate, higher density housing (townhomes, condos, and apartments) in areas designated as Low Density and High Density Mixed Use.

Goal 4: Support for Existing and Future Businesses: Support existing businesses in the neighborhood and create and provide opportunities for future businesses.

Goal 5: Development Type and Design: Promote development that is compatible with existing development and encourage design that takes into account the existing character and scale of the neighborhood.

Objective 5.1: Use Compatibility: Promote compatibility between the commercial and residential areas of the neighborhood.

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

The subject property is 0.3007 of an acre, which could accommodate a small-scale mixed use development.

#### **7. Other Factors:**

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.

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.

The requested "IDZ" base zoning is supported by the following criteria:

The applicant's request meets the Master Plan's Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.

The applicant's request meets the Master Plan's Policy for Economic Development - Goal 4, because it targets

an area within Loop 410 and the southern sector.

The applicant's request the Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.

The applicant's request the 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.

The applicant's request the Master Plan's Policy for Urban Design - Policy 1e, because it allows zero setbacks for commercial and multi-family developments.

The applicant's request the Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.