



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8458

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/5/2019

**Title:** ZONING CASE Z-2019-10700241 (Council District 2): Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ-1 AHOD" Low Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) residential units on Lots 15 and 16, Block 58, NCB 1586, located at 203 Denver Boulevard. Staff and Zoning Commission recommend Approval. (Continued from November 7, 2019.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Ground Plan Comparison Form, 4. Zoning Minutes, 5. Draft Ordinance, 6. Ordinance 2019-12-05-1009

Date	Ver.	Action By	Action	Result
12/5/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700241

**SUMMARY:**

**Current Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Low Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) residential units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 15, 2019

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** InDen, LLC

**Applicant:** InDen, LLC (c/o Jose Sepulveda)

**Representative:** Jose Sepulveda

**Location:** 203 Denver Boulevard

**Legal Description:** Lots 15 & 16, Block 58, NCB 1586

**Total Acreage:** 0.1651 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 29

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was zoned "J" Commercial District. It was rezoned to "R-2" Residential District according to Ordinance 79329, dated December 16, 1993. The "R-2" base zoning district converted to "RM-4" in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 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"

**Current Land Uses:** Single-family dwellings

**Direction:** East

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Single-family dwellings

**Direction:** South

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Single-family dwellings

**Direction:** West

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Single-family dwellings and church

**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:** South Mesquite Street

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Denver Boulevard

**Existing Character:** Minor

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance of the subject property.

**Routes:** 28, 30, 32, 230, 232

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** "IDZ-1" waives parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current "RM-4" base zoning district provides areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

**Proposed:** The proposed "IDZ" base zoning district provides flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. Any use may be permitted within an "IDZ" so long as it complies with the standards of this section.

The applicant proposes three (3) residential units.

**FISCAL IMPACT:**

None.

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

The property is not within a regional center or a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 located within the Arena District/Eastside Community Plan and is currently designated as "Medium Density Residential" in the future land use component of the plan. The requested "IDZ-1" Low

Intensity Infill Development Zone with uses permitted for three (3) residential units is consistent with the future land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The current zoning allows residential use and the proposed use is for residential development. Additionally, the proposed "IDZ-1" for three (3) residential units is consistent with density in the area.

**3. Suitability as Presently Zoned:**

The current "RM-4" Residential Mixed District is an appropriate zoning for the property and surrounding area. It would allow development of up to four (4) units. The proposed "IDZ-1" is for less density of three (3) residential units and must be developed as set out in the site plan.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Arena District/Eastside Community Plan:

Goal 2.2: Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment

Goal 4: Emphasize Positive Social and Economic Effects

"IDZ"

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.

**6. Size of Tract:**

The subject property is 0.1651 acres, which could reasonably accommodate three (3) residential units.

**7. Other Factors:**

The maximum height allowed in "IDZ-1" is 2 ½ stories or 35 feet.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.