



# City of San Antonio

## Agenda Memorandum

**File Number:**17-2630

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**Agenda Item Number:** 13.

**Agenda Date:** 4/18/2017

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017108

**SUMMARY:**

**Current Zoning:** "C-2 H AHOD" Commercial Lavaca Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District for Two Single-Family Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 18, 2017

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Carlton Brown

**Applicant:** Carlton Brown

**Representative:** Carlton Brown

**Location:** 421 Labor Street

**Legal Description:** 0.191 acres out of NCB 926

**Total Acreage:** 0.191

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Lavaca Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, Parks, Planning Department

### **Property Details**

**Property History:** The subject property was included in the original 36 square miles of the City of San Antonio and was previously zoned “J” Commercial District. The previous base zoning district changed from “J” Commercial District to “B-2” Business District. The change in base zoning was established by Ordinance 74924, dated December 9, 1991. The current “C-2” Commercial District converted from the previous “B-2” Business District. The conversion occurred with the adoption of the 2001 Unified Development Code (Ordinance 93381, dated May 3, 2001).

**Topography:** None.

### **Adjacent Base Zoning and Land Uses**

**Direction:** West, North

**Current Base Zoning:** RM-4, IDZ

**Current Land Uses:** Residential Mixed

**Direction:** East, South

**Current Base Zoning:** RM-4, C-2, IDZ

**Current Land Uses:** Residential Mixed, Commercial, Infill Development Zone with multiple uses permitted under Ordinance 96609, dated October 24, 2002

### **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.

The surrounding properties are located in the Lavaca Historic District, which was adopted in 2001. Historic districts do not regulate use of the property, but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

### **Transportation**

**Thoroughfare:** Labor Street

**Existing Character:** Local Street

**Proposed Changes:** None

**Thoroughfare:** Riddle Street

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus route is #32 is located at the intersection of Labor and Refugio Street. It is approximately 230 feet from the subject property.

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

**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 designation.

**FISCAL IMPACT:**

None.

**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 property is located within the Lavaca Neighborhood Plan, and is currently designated as Mixed Use in the future land use component of the plan. The requested "IDZ" 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. The applicant proposes to build two single-family homes on the currently vacant lot.

**3. Suitability as Presently Zoned:**

The current "C-2" base zoning district is not appropriate for the surrounding area. The subject property is bounded by Single-Family Residential homes.

**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 rezoning request does not appear to conflict with the land use goals and strategies of the Lavaca Neighborhood Plan. The current Land Use Category of Mixed Use includes "IDZ" as a corresponding zoning. The application for "IDZ" is consistent with the objectives of comprehensive plan. If the rezoning is approved, the applicant will go through The Historic and Design Review Commission (HDRC) for approval of the project. Goal 2 of The Lavaca Neighborhood Plan specifically establishes a housing goal to "improve the overall quality of housing while maintaining the historic character within the Lavaca Neighborhood." Objective 2.1 states, "Maintain the existing character of the historic residential buildings and encourage compatible infill housing within the neighborhood." And, Action 2.1.2 states, "Encourage compatible infill housing on vacant parcels throughout the neighborhood. Compatible housing will maintain the historical and architectural integrity of the neighborhood and help to better utilize vacant and/or unkempt properties."

The Planning Department recommends approval of the rezoning request, with the following recommendations:

- The applicant should seek conceptual approval of the project from the Historic and Design Review Commission in order to address issues of architectural compatibility and compatibility with the historic district.

- The applicant should seek conceptual approval of the project from the Historic and Design Review Commission in order to address the proposed fencing/wall height and materials.

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

The subject property measures 0.191 of an acre which should reasonably accommodate the uses permitted in "IDZ" Infill Development Zone District for Two Single-Family 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.