



# City of San Antonio

## Agenda Memorandum

**File Number:**17-2862

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**Agenda Item Number:** Z-7

**Agenda Date:** 5/4/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2017096

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with three single-family dwellings

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 4, 2017

**Case Manager:** Erica Greene, Planner

**Property Owner:** Elbert Fugua

**Applicant:** Elbert Fugua

**Representative:** Elbert Fugua

**Location:** 314 St. Charles Street

**Legal Description:** North 53 Feet of Lots 1, 2, and 3, NCB 1339

**Total Acreage:** 0.1570

**Notices Mailed**

**Owners of Property within 200 feet:** 34

**Registered Neighborhood Associations within 200 feet:** Dignowity Hill Neighborhood Association

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City and was previously zoned “K” Apartment District. A 1989 case, Ordinance #70785 zoned the subject property as “R-7” Small Lot Residence. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “R-4” Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

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

**Direction:** North

**Current Base Zoning:** R-4

**Current Land Uses:** Residential Single-Family

**Direction:** West

**Current Base Zoning:** R-4

**Current Land Uses:** Residential Single-Family

**Direction:** South

**Current Base Zoning:** R-4

**Current Land Uses:** Residential Single-Family

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Residential Single-Family

**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:** St. Charles Street

**Existing Character:** Local Street

**Proposed Changes:** None

**Thoroughfare:** Canadian Street

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus route is #22 within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. Infill Development (IDZ) is exempt from TIA requirements.

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

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning district.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (10-0) 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 Dignowity Hill Neighborhood Plan, and is currently designated as Low Density Residential in the future land use component of the plan. The requested “IDZ” Infill Development Zone base zoning district is consistent with the future land use designation.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request to allow for three single-family dwellings is too intense of a density for this lot size.

**3. Suitability as Presently Zoned:**

The current “R-4” base zoning district is appropriate for the subject property’s location. The request to allow for “IDZ” to allow for three single-family houses is not appropriate, which does not follow the current pattern of development for that area.

**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 appear to conflict with land use goals and strategies of the of the Dignowity Hill Neighborhood Plan to preserve the unique historic character of Dignowity Hill

**6. Size of Tract:**

The subject property totals 0.1570 acres in size, which reasonably accommodate the uses permitted in “IDZ” Infill Development Zone, but not for densities as high as those that the applicant is requesting.

**7. Other Factors:**

The applicant proposes three single family houses on the subject property. The surrounding lots all include one single family house on small lots. The request to rezone the subject property will not make the land uses more compatible with one another and does not reflect the character of the neighborhood.

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 of 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.