



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1531

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**Agenda Item Number:** 18.

**Agenda Date:** 2/6/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018047

(Associated Plan Amendment 18012)

**SUMMARY:**

**Current Zoning:** "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Airport Hazard Overlay District

**Requested Zoning:** "IDZ EP-1 AHOD" Infill Development Zone Facility Parking/Traffic Control Airport Hazard Overlay District with uses permitted in "C-2" Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2018. This case has been expedited to the February 15, 2018 City Council Hearing due to the cancellation of the January 16 Zoning Commission Meeting.

**Case Manager:** Kayla Leal, Planner

**Property Owner:** DCF Legacy Partners, LLC

**Applicant:** Mark Harris

**Representative:** Elbert Fuqua

**Location:** 1824 and 1826 Hays Street

**Legal Description:** Lot A and Lot B, Block 10, NCB 1330

**Total Acreage:** 0.2146

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Harvard Place - Eastlawn

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property is located in the Original City Limits of San Antonio, and was zoned "C" Apartment District. The zoning converted to "R-3" Multiple Family Residence District upon adoption of the 1965 Zoning Code. The current "MF-33" Multi-Family District converted from the previous "R-3" upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

**Topography:** The subject property is located within the Salado Creek Watershed.

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

**Direction:** North

**Current Base Zoning:** IDZ

**Current Land Uses:** Apartments

**Direction:** East

**Current Base Zoning:** IDZ

**Current Land Uses:** Apartments

**Direction:** South

**Current Base Zoning:** MF-33

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

**Direction:** West

**Current Base Zoning:** MF-33

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

**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 Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

### **Transportation**

**Thoroughfare:** Hays Street

**Existing Character:** Collector

**Proposed Changes:** None known

**Thoroughfare:** Hudson

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There is a bus stop (Stop #72667) within walking distance of the property. It is located on the

corner of Hays Street and North Walters Street along Bus Routes 22, 222, 24, and 515.

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

**Parking Information:** Infill Development Zoning (IDZ) 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 “MF-33” base zoning district permits the uses such as multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 33 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center. The subject property is located within a half (½)-mile of the New Braunfels Avenue and Commerce-Houston Premium Transit Corridors.

**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 Arena District/Eastside Community Plan and is currently designated “Medium Density Residential” in the land use component of the plan. The requested “IDZ” base zoning district is not consistent with the adopted land use designation. The applicant is requesting a Plan Amendment to “Mixed Use.” Staff and Planning Commission recommend Approval of the amendment.

**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. The subject property is surrounded by multi-family and single-family residential uses. There is “IDZ” zoning across the street that permits commercial uses.

**3. Suitability as Presently Zoned:**

The existing “MF-33” base zoning district is appropriate for the surrounding area. There are multi-family residential uses to the north and east of the subject property and “MF-33” base zoning to the south and west of the subject property. However, the majority of the “MF-33” zoning is not consistent with the type of uses in the area. Most of the surrounding area is single-family residential and not multi-family housing.

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

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

the use of a restaurant which would serve the surrounding community.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. There is already “Mixed Use” designated across the street that permits commercial zoning.

**6. Size of Tract:**

The 0.2146 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:

- The Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The 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.
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