



# City of San Antonio

## Agenda Memorandum

**File Number:**18-4825

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**Agenda Item Number:** Z-1.

**Agenda Date:** 9/20/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018228

**SUMMARY:**

**Current Zoning:** "RM-4 H AHOD" Residential Mixed King William Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ H AHOD" Infill Development Zone King William Historic Airport Hazard Overlay District with uses permitted in "C-2 NA NR" Commercial Nonalcoholic Sales Noise Restricted District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 7, 2018. This case was continued from the July 3, 2018 Zoning hearing.

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Carlos Omar and Selsabeel Adham Gonzalez

**Applicant:** Carlos Omar and Selsabeel Adham Gonzalez

**Representative:** Carlos Omar and Selsabeel Adham Gonzalez

**Location:** 1423 South St. Mary's Street

**Legal Description:** Lot 17, Block 1, NCB 2912

**Total Acreage:** 0.176

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** King William Association; Lavaca Neighborhood

Association

**Applicable Agencies:** Office of Historic Preservation; Planning Department

### **Property Details**

**Property History:** The subject property was zoned from “C” Apartment District, “D” Apartment District, “O-1” Office District, & “J” Commercial District to “R-2” Two Family Residence District by Ordinance 74924, dated December 9, 1991. The property converted from “R-2” Two Family Residence District to the current “RM-4” Residential Mixed District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The subject property is not located within the 100-year flood plain.

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

**Direction:** North

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Vacant and Two-Family Residences

**Direction:** East

**Current Base Zoning:** “C-2” and “C-3NA”

**Current Land Uses:** Apartments, Fire Station, Auto Towing and Office

**Direction:** South

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Church and Single-Family Residences

**Direction:** West

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Single-Family and Two-Family Residences

### **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.

“H”

The surrounding properties are located in the King William Historic District. 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:** South Saint Mary’s Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

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

Routes Served: 34, 42, 232, and 242

**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:**

The minimum number of parking spaces for a café or restaurant is 1 space per 100 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “RM-4”. “RM-4” allows for uses such as single-family dwelling(detached, stacked or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, 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, public and private schools.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The property is located within the Downtown Regional Center and half a mile of 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 located within the Downtown Neighborhood Plan and is currently designated as the King William area which encourages mixed uses of residential and commercial in the South St. Mary’s Street Corridor. The requested “IDZ” base zoning is compatible with the future land use designation and is consistent with the surrounding properties.

**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 “RM-4” Residential Mixed District is an appropriate zoning for the property and surrounding area.

**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 Downtown Neighborhood Plan.

Downtown Neighborhood Plan Relevant Goals and Objectives:

- Geographically balance businesses, entertainment, community facilities, arts, culture and residential projects to enhance downtown’s urban character.

- Develop downtown businesses and a healthy, diversified economic base through partnerships, tax incentives, promotions, marketing, financing and funding strategies.

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

The subject property is 0.176 acres, which would adequately support an infill development zone with commercial uses.

#### **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 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 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.