



# City of San Antonio

## Agenda Memorandum

**File Number:**18-5650

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**Agenda Item Number:** Z-3.

**Agenda Date:** 11/1/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018317

(Associated Plan Amendment 18089)

**SUMMARY:**

**Current Zoning:** "C-2 H UC-5 AHOD" Commercial Tobin Hill Historic McCullough Avenue Urban Corridor Airport Hazard Overlay District and "RM-4 HS H UC-5 AHOD" Residential Mixed Historic Significant Tobin Hill Historic McCullough Avenue Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "IDZ HS H UC-5 AHOD" Infill Development Zone Historic Significant Tobin Hill Historic McCullough Avenue Urban Corridor Airport Hazard Overlay District to allow for 10 residential dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 2, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Texas PN Investments, LP

**Applicant:** Texas PN Investments, LP

**Representative:** Patrick Christensen

**Location:** 306 and 310 East Park Avenue

**Legal Description:** Lot 2, Lot 3, and Lot 4, Block 30, NCB 392

**Total Acreage:** 0.6702

## **Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association

**Applicable Agencies:** Office of Historic Preservation, Fort Sam Base

## **Property Details**

**Property History:** The subject property was located in the Original City Limits of San Antonio and was zoned "F" Local Retail District. A portion of the subject property changed its zoning to "R-2" Two Family Residence District, established by Ordinance 83331, dated December 14, 1995. This converted to the current "RM-4" Residential Mixed District upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001. The other portion of the subject property changed to "B-2" Business District established by Ordinance 83331 and converted to the current "C-2" Commercial District.

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

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

**Direction:** North

**Current Base Zoning:** C-2, MF-33

**Current Land Uses:** Retail Shops, Duplex

**Direction:** East

**Current Base Zoning:** RM-4

**Current Land Uses:** Duplex, Apartments

**Direction:** South

**Current Base Zoning:** C-2, RM-4, C-1

**Current Land Uses:** Restaurant, Duplex, Vacant Lot

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Vacant/Parking Lot, Duplex

## **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.

"HL"

A number of surrounding properties carry the "HS" Historic Significant landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. 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.

"UC"

The Urban Corridor overlay was established because there are many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are

significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of “UC” serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

### **Transportation**

**Thoroughfare:** East Park Avenue

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are multiple bus stops within walking distance on McCullough Avenue.

**Traffic Impact:** Traffic Impact Analysis (TIA) Reports are not required for Infill Development Zone.

**Parking Information:** Parking requirements are waived for Infill Development Zone.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “RM-4” base zoning district permits uses such as a single-family dwelling (detached, attached 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 feet, public and private schools.

The “C-2” base zoning district accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining

### **FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center and located within a half-mile of New Braunfels Avenue Premium Transit Corridor and the San Pedro Premium Transit Corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval, pending Plan Amendment.

**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 Tobin Hill Neighborhood Land Use Plan and is currently designated as “Low Density Residential” and “Low Density Mixed Use” in the land use component of the plan. The requested “IDZ” base zoning district is consistent with the adopted land use designation of “Low Density Mixed Use” but is not consistent with the adopted land use designation of “Low Density Residential.” The

applicant is requesting a Plan Amendment to “Low Density Mixed Use.” Staff and Planning Commission recommend Approval.

## **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.

## **3. Suitability as Presently Zoned:**

The existing “RM-4” and “C-2” base zoning districts are appropriate for the surrounding area.

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

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

## **5. Public Policy:**

The request does not appear to conflict with any public policy objective.

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

The 0.6702 acre site is of sufficient size to accommodate the proposed development. The lot is currently vacant and the applicant is proposing ten (10) single-family dwelling units which would be consistent with a density of about fifteen (15) units per acre.

## **7. Other Factors:**

This property is located within the Tobin Hill Historic District. Any new construction will require approval from the Historic and Design Review Commission. Approval of a site plan or materials submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Historic and Design Review Commission for this project. Additionally, based on the submitted site plan, there are conflicts with the Historic Design Guidelines and the proposed project.

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request.

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.

The applicant’s request meets the following requirements:

- Master Plan’s Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- 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.
- Master Plan’s Policy for Neighborhoods - Policy 1d, because it promotes conversion or adaptive reuse of vacant or underutilized commercial buildings to provide affordable infill housing.
- Master Plan’s Policy for Neighborhoods - Policy 2b, because it creates mixed-use districts.

- Master Plan's Policy for Neighborhoods - Policy 4a, because it preserves and revitalizes housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.