



# City of San Antonio

## Agenda Memorandum

**File Number:**19-1291

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**Agenda Item Number:** Z-40.

**Agenda Date:** 1/17/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018-900024

(Associated Plan Amendment 2018-900006)

**SUMMARY:**

**Current Zoning:** "MF-33 MLOD-2 MLR-2 AHOD" Muilt-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ MLOD-2 MLR-2 AHOD" Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "RM-4" Residential Mixed District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 4, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Jesse Arriaga

**Applicant:** Rene D. Ruiz

**Representative:** Rene D. Ruiz

**Location:** 2619 Buena Vista

**Legal Description:** Lot 12, Block 1, NCB 2322

**Total Acreage:** 0.1838

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Prospect Hill

**Applicable Agencies:** Lackland Military Base

### **Property Details**

**Property History:** The subject property was zoned "C" Residence District by Ordinance OI-191, dated November 9, 1938. The property converted from "C" Residence District to "MF-33" Multi-Family 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-3"

**Current Land Uses:** Retail Shops, Restaurants and a Pawn Shop

**Direction:** East

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Multifamily housing

**Direction:** South

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Multifamily housing and an auto parts business

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Multifamily housing

### **Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-2" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

"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.

### **Transportation**

**Thoroughfare:** Buena Vista Street

**Existing Character:** Principal

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 520, 76, and 75

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The IDZ is exempt from TIA 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 of “MF-33”. “MF-33” allows for the designation for multi-family use with a maximum density of up to thirty-three (33) units per acre, depending on unit size. An "MF-33" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

**FISCAL IMPACT:**

None.

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

The subject property is located within half mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 Guadalupe Westside Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ” base zoning with uses permitted in “C-2” Commercial District and “RM-4” Residential Mixed District is not compatible with the future land use designation. The applicant requested a Plan Amendment to “Low Density Mixed Use.” Staff and the 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.

**3. Suitability as Presently Zoned:**

The current “MF-33” Multifamily-Family 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 Guadalupe Westside Community Plan.

Guadalupe Westside Community Plan Relevant Goals and Objectives:

- Promote a diverse variety of housing stock in the community that sustains all ages and economic groups.

- Encourage and facilitate the development of quality, diverse housing that is compatible with the character of the neighborhood.

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

The subject property is 0.183 acres, which would adequately support the development of multifamily housing and light commercial.

#### **7. Other Factors:**

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA 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 the 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.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 1d, because it develops criteria and procedures for infill development which will enhance the character of neighborhoods.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.
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