



# City of San Antonio

## Agenda Memorandum

**File Number:**19-6737

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**Agenda Item Number:** Z-11.

**Agenda Date:** 9/19/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700200

**SUMMARY:**

**Current Zoning:** "R-3 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for two (2) residential units and "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with three (3) residential units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 3, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Jose A. Sepulveda

**Applicant:** Jose A. Sepulveda

**Representative:** Jose Sepulveda

**Location:** 910 South Pine Street and 918 South Pine Street

**Legal Description:** the north 67.8 feet of Lot 9 and the north 42.5 feet of the south 85 feet of Lot 9, Block 2, NCB 1028

**Total Acreage:** 0.150

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** None

### **Property Details**

**Property History:** The site is currently vacant. One portion of the subject property was originally zoned as "C" Apartment District, in March 27, 1986. Ordinance 62587 approved the change of zone to "B-2NA" Non-Alcoholic Sales Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-2NA" Non-Alcoholic Sales Business District converted to the current "C-2NA" Commercial District. The remaining portion was rezoned to "R-3 CD" Residential Single-Family District with Conditional Use for two (2) residential units by Ordinance 2019-06-20-0577 on June 20, 2019.

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

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

**Direction:** North

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single Family Dwelling

**Direction:** East

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Single Family Dwelling

**Direction:** South

**Current Base Zoning:** "C-2 NA"

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** "C-2 NA", "RM-4"

**Current Land Uses:** Commercial, Vacant

### **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.

### **Transportation**

**Thoroughfare:** Pine Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routs Served: 28 (Porter Frequent), 30 (Rigsby), 230 (Rigsby/ Porter Lineup), and 26 (Martin Luther King).

**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 parking requirements for a single-family dwelling is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district of “C-2NA”. C-2 districts accommodate 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. Commercial Nonalcoholic Sales District, “C-2NA”, is identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

R-3 districts accommodate medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

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.

**FISCAL IMPACT:**

None.

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

The property is not located within a Regional Center, and is not within half a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 Arena District/Eastside Community Plan and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “IDZ-1” base zoning district is consistent with the future land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

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

The current “C-2NA” Commercial, Nonalcoholic Sales District and “R-3 CD” Single- Family Residential with Conditional Use for two (2) residential units is appropriate for the property. The zoning already allows two (2) residential units and the proposed rezoning will remove the “C-2NA” and allow for an additional residential unit. The “IDZ” will allow for flexibility of development.

### **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 Arena Area:

2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations

2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment

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

The subject property is 0.09 acres, which could reasonably accommodate three residential units.

### **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.

- 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 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.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.