



# City of San Antonio

## Agenda Memorandum

**File Number:**20-3342

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**Agenda Item Number:** 23.

**Agenda Date:** 6/2/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2020-10700086

**SUMMARY:**

**Current Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted for four (4) dwelling units and "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Low Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for eight (8) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 2, 2020

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Mitra Ventures, LLC

**Applicant:** Mitra Ventures, LLC

**Representative:** Patrick Christensen

**Location:** 96 Lewis Street and 100 Lewis Street

**Legal Description:** 0.4730 acres out of NCB 771

**Total Acreage:** 0.4730

**Notices Mailed**

**Owners of Property within 200 feet:** 17

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

**Applicable Agencies:** Solid Waste Management Department and Fort Sam Houston

### **Property Details**

**Property History:** The subject properties were located in the Original 36 Square-Mile City Limits of San Antonio and were zoned "E" Office District. The zoning converted from "E" Office District to "B-2" Business District on December 14, 1995, established by Ordinance 83331. The current "C-2" Commercial District converted from the previous "B-2" base zoning district upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001.

The property at 96 Lewis Street was then rezoned from "C-2 AHOD" General Commercial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted for four (4) dwelling units and "C-2 AHOD" Commercial Airport Hazard Overlay District by Ordinance 2018-09-20-0758.

**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:** "C-3"

**Current Land Uses:** Commercial

**Direction:** South

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

**Current Land Uses:** Restaurant

**Direction:** East

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

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

**Direction:** West

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

**Current Land Uses:** Apartments

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

"IDZ"

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.

"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:** Lewis Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes within walking distance of the subject property.

**Routes Served:** None.

**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 parking requirement is waived for "IDZ-1."

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning of "C-2" Commercial 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

The current zoning of "IDZ-1" Limited Density Infill Development Zone District provides flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. Any use may be permitted within an "IDZ" so long as it complies with the standards of this section.

The applicant was utilizing "IDZ-1" to develop four (4) residential units.

**Proposed:** The proposed "IDZ-1" Limited Density Infill Development Zone District provides flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. Any use may be permitted within an "IDZ" so long as it complies with the standards of this section.

The applicant is utilizing "IDZ-1" to develop eight (8) residential units.

**FISCAL IMPACT:**

None.

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

The subject property is within the Midtown Area Regional Center Plan and is not within a Premium Transit Corridor.

**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 Midtown Area Regional Center Plan and is currently designated as “Regional Mixed Use” 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 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 “IDZ” Infill Development Zone zoning is appropriate for the surrounding area. The existing “IDZ” allows for four (4) residential dwelling units. The proposed “IDZ-1” is suitable to the area and provides the opportunity for additional low density residential options with the consideration for eight (8) residential dwellings.

### **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 Midtown Area Regional Center Plan:

#### **Goal 5: Broaden Housing Choices**

- Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.
- Conserve existing affordable housing and the existing diverse mix of housing types and expand affordable housing options.
- Rehabilitate or redevelop housing that is in poor condition.
- Focus most new housing development closer to multimodal transportation corridors.

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- 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.
- 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.
- 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.

**6. Size of Tract:**

The subject property is 0.4730 acres, which could reasonably accommodate eight (8) residential units.

**7. Other Factors:**

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.