



# City of San Antonio

## Agenda Memorandum

**File Number:**21-1166

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**Agenda Item Number:** Z-12.

**Agenda Date:** 2/4/2021

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:** Zoning Case Z2020-10700265

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "O-1" Office District and four (4) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 15, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** 523 Ruiz, LLC

**Applicant:** Patricia Cater

**Representative:** Patricia Cater

**Location:** 523 Ruiz Street

**Legal Description:** Lot 19, Block 1, NCB 2181

**Total Acreage:** 0.2057 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** Gardendale Neighborhood Association

**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property is within the original 36 square miles of the city and was originally zoned “J” Commercial District. The previous “J” district converted to “I-1” General Industrial District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was rezoned to the current “R-4” Residential Single-Family District by Ordinance 97325, dated March 13, 2003.

**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” and “I-1”

**Current Land Uses:** Single-family dwellings

**Direction:** East

**Current Base Zoning:** “R-4” and “I-1”

**Current Land Uses:** Duplexes, single-family dwellings, bar

**Direction:** South

**Current Base Zoning:** “R-4” and “I-1”

**Current Land Uses:** Single-family dwellings, PikNik corner store, church, vacant lots

**Direction:** West

**Current Base Zoning:** “R-4,” “I-1,” “C-1” and “IDZ”

**Current Land Uses:** Single-family dwellings, multi-unit dwellings, restaurant

### **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:** Ruiz Street

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Briscoe Alley

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes:** 79, 227

**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 requirement for four dwelling units is 1.5 spaces per unit.

**ISSUE:** None.

**ALTERNATIVES:**

**Current:** The current “R-4” Residential Single-Family District provides areas for 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.

**Proposed:** The proposed “IDZ-1” Limited Intensity 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.

The proposed use four (4) dwelling units most closely matches with “RM-4” Residential Mixed District, which provides areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

The proposed “O-1” Office District permits institutional, indoor retail, service and office uses requiring arterial or collector street access and business and commercial development along urban arterials. The purpose of the office districts is to accommodate well-designed development sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses. The "O-1" district restricts uses primarily to offices and ancillary uses (for the purposes of this subsection, ancillary uses are those provided for the convenience of on-site tenants and which do not provide services or products to the general public) which do not have peak weeknight or weekend usage in order to provide a buffer between residential areas and more intensive uses. "O-1" districts provide for the establishment of low to mid-rise office buildings. Uses within an "O-1" district are limited to uses incidental to the needs of the occupants of the building and are not designed to serve a regional market area.

**FISCAL IMPACT:** None.

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

The property is within a regional center and a 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 Area Regional Center Plan and is currently designated as “Medium Density Residential.” The requested “IDZ-1” 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. The proposed "IDZ-1" is for office and residential uses.

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

The current "R-4" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-1" with uses permitted in "O-1" Office District and four (4) dwelling units is also appropriate zoning for the property and surrounding area. The proposed infill development is an existing multi-unit residential property and provides diverse housing and office options to this 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 Area Regional Center Plan:

Goal 1.1- Grow and evolve in meaningful ways that encourage attachment between people and places

Goal 3.3- Encourage the incorporation of public art into development and redevelopment projects

Goal 4.2- Encourage the development of vacant lots in the city center with a geographically balanced mix of uses

Goal 4.4- Attract additional housing and a diversity of employment options in the Downtown core

"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.

- The applicant's request the Master Plan's Policy for Urban Design - Policy 1c, because it develops zoning that allows mixed-use development (i.e. residential and commercial) to be placed in the same building
- 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 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.

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

The subject property is 0.2057 acres, which could reasonably accommodate four (4) live work units.

## **7. Other Factors:**

The subject property is located within the Gardendale Neighborhood Association and the adopted Downtown Area Regional Center Plan. The site is situated on Ruiz Street, a one-block long street between North San Marcos Street and North Colorado Street. The proposed zoning change is requested to permit the site's development into four (4) new homes and uses allowed in O-1.