



# City of San Antonio

## Agenda Memorandum

**File Number:**21-3958

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**Agenda Item Number:** Z-6.

**Agenda Date:** 6/3/2021

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:** Zoning Case Z2021-10700081  
(Associated Plan Amendment Case PA2021-11600031)

**SUMMARY:**

**Current Zoning:** "R-6 HS AHOD" Residential Single-Family Historic Significant Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 HS AHOD" Limited Intensity Infill Development Zone Historic Significant Airport Hazard Overlay District with uses permitted for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 18, 2021

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Tobin City Partners, LLC

**Applicant:** Patrick Christensen

**Representative:** Patrick Christensen

**Location:** 429 East Carson Street

**Legal Description:** Lot 1, Block 2, NCB 992

**Total Acreage:** 0.1631 acres

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood

Association

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

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned “D” Apartment District. The previous “D” district converted to “MF-33” Multi-Family 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-6” Residential Single-Family District by Ordinance 2010-11-04-0971, dated November 4, 2010.

**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-3NA” and “C-1”

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

**Direction:** East

**Current Base Zoning:** “C-1” and “R-6”

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

**Direction:** South

**Current Base Zoning:** “C-1,” “R-6” and “MF-33”

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

**Direction:** West

**Current Base Zoning:** “C-1” and “R-6”

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

### **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.

"HS"

The “HL” Historic Landmark, “HS” Historic Significant or “HE” Historic Exceptional overlay district designation signifies 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.

### **Transportation**

**Thoroughfare:** East Carson Street

**Existing Character:** Collector

**Proposed Changes:** None

**Thoroughfare:** Muth Street

**Existing Character:** Local  
**Proposed Changes:** None

**Public Transit:** There is one VIA bus route within walking distance of the subject property.

**Route:** 20

**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 is waived in “IDZ-1.”

**ISSUE:** None.

#### **ALTERNATIVES:**

**Current:** The current “R-6” 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. Any use may be permitted within an "IDZ" so long as it complies with the standards of this section.

The proposed use is for three (3) dwelling units most closely matches with “RM-5” Residential Mixed District, which provide 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.

**FISCAL IMPACT:** None.

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

The property is not within a regional center but is within a premium transit corridor.

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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 Government Hill Neighborhood Plan and is currently designated as “Low Density Residential.” The requested “IDZ-1” is not consistent with the future land use designation. The applicant seeks a plan amendment to “Low Density Mixed Use” to allow for three (3) existing dwelling units. Staff and Planning Commission recommend Approval.

### **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 surrounding zoning is primarily “R-6” Residential Single-Family. The proposed “IDZ-1” Limited Density Infill Development Zone allows use of three (3) single-family units that exist on the site.

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

The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed zoning of “IDZ-1” Limited Density Infill Development Zone with uses permitted for three (3) dwelling units is also appropriate for the property and surrounding area. The proposed “IDZ-1” Limited Density Infill Development Zone is for use of three (3) single-family homes that exist on the property and assists with any setback encroachments on the property. The submitted site plan maintains the structures in their current location and footprint.

### **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 Government Hill Neighborhood Plan:

Low Density Mixed Use “provides a mix of low intensity residential and commercial uses.”

Low Density Residential “should not exceed 9 dwelling units per acre.”

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, lot 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.

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

The subject property is 0.1631 acres, which could reasonably accommodate three (3) dwelling 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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

This property is the Government Hill Historic District. Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation. Approval of a rezoning 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 Office of Historic Preservation for changes.