



# City of San Antonio

## Agenda Memorandum

**File Number:**15-1512

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**Agenda Item Number:** Z-13.

**Agenda Date:** 3/5/2015

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 5

**SUBJECT:**

Zoning Case Z2015056

**SUMMARY:**

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

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2P" Commercial Pedestrian District and "RM-4" Residential Mixed District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 3,

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** Esmeralda Flores Rivas and Esmeralda F. Gutierrez

**Applicant:** Esmeralda F. Gutierrez

**Representative:** Esmeralda F. Gutierrez

**Location:** 316 East Cevallos

**Legal Description:** Lot 12, NCB 2569

**Total Acreage:** 0.1022

**Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** Lone Star Neighborhood Association

**Planning Team:** Lone Star Community Plan - (No Planning Team)

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned “L” First Manufacturing District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to “I-2” Heavy Industrial District. In a 2006 large-area rezoning case, the property was rezoned to “R-4” Residential Single-Family District. The site is currently developed with one residential structure. The residential structure measures 1,076 square feet and 120 square feet for an attached open porch. The structure was built in 1925.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** Northeast

**Current Base Zoning:** “IDZ” and “I-2”

**Current Land Uses:** Apartments and Restaurant

**Direction:** Southwest

**Current Base Zoning:** “R-4” and “IDZ”

**Current Land Uses:** Single-Family Residences and Vacant Land

**Direction:** East

**Current Base Zoning:** “R-4” and “IDZ”

**Current Land Uses:** Single-Family Residence and Vacant Land

**Direction:** West

**Current Base Zoning:** “IDZ” and “R-4”

**Current Land Uses:** Vacant Land and Single-Family Residences

**Overlay and Special District Information:** 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:** East Cevallos

**Existing Character:** Local Street; 1 lane in each direction with sidewalks

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus lines 43, 44, 51, 54 and 243 operate along South Flores Street, east of the subject property; and VIA bus lines 46 and 246 operate along Probandt Street, west of the subject property.

**Traffic Impact:** “IDZ” zoning is exempt from TIA requirements.

**Parking Information:** Off-street vehicle parking requirements are determined by use, and often size or density of the development. The zoning application refers generally to a coffee shop, possibly including one residential dwelling.

Food - restaurant or cafeteria - Minimum Parking Requirement: 1 parking space per 100 square feet of Gross Floor Area (GFA). Maximum Parking Requirement: one parking space per 40 square feet of Gross Floor Area (GFA).

Dwellings - 4 family - Minimum requirement: 1.5 spaces per unit. Maximum allowance: 2 spaces per unit.

The "IDZ" Infill Development Zone District eliminates off-street vehicle parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current residential single-family zoning classification, restricting future land uses to those permissible in the "R-4" zoning district.

**FISCAL IMPACT:**

None. The zoning request is eligible for the Inner City Reinvestment Infill Policy fee waiver. The Development Services Department fees will be reimbursed through grant funding.

**RECOMMENDATION:**

**Staff and Zoning Commission (8-0) 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 Lone Star Community Plan and is designated as Low Density Mixed Use in the future land use component of the plan. The requested "RM-4" base zoning district is consistent with the adopted land use designation.

Low Density Mixed Use includes a mix of low intensity residential and commercial uses integrated into one structure, or found on the same lot or block. The mix of uses promotes walk ability, therefore all mixed use developments should be designed for the pedestrian.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The "IDZ" zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. Further, the "IDZ" district includes design criteria intended to create infill development that is proportional to surrounding development.

**3. Suitability as Presently Zoned:**

Both the existing "R-4" Residential Single-Family District and requested "IDZ" Infill Development Zone District with uses permitted in "C-2P" Commercial Pedestrian District and "RM-4" Residential Mixed District are appropriate for the subject property.

Staff believes the proposed uses will be compatible with the surrounding land uses and overall character of the area.

**4. Health, Safety and Welfare:**

Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning

request. The “IDZ” district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

#### **5. Public Policy:**

The request does not appear to conflict with any public policy objective. The zoning change request is in accordance with the City’s Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth.

The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

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

The 0.1022-acre tract is of sufficient size to accommodate the proposed development with the flexibility offered by the “IDZ” district.

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

The subject property is located in close proximity to high-intensity mixed-use redevelopment along East Cevallos, Clay Street and Probandt Street, with access to public transit.

Staff finds the requested "IDZ" Infill Development Zone District with uses permitted in "C-2P" Commercial Pedestrian District and "RM-4" Residential Mixed District zoning to be appropriate and in character with some of the surrounding zoning and uses.