



City of San Antonio

Agenda Memorandum

Agenda Date: June 15, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

ZONING CASE Z-2023-10700061

(Associated Plan Amendment PA-2023-11600016)

SUMMARY:

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

Requested Zoning: "IDZ-1 H AHOD" Limited Intensity Infill Development Zone Historic Airport Hazard Overlay District with uses permitted for four (4) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 16, 2023. This item was continued from the April 18, 2023 hearing.

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: GMAM LLC

Applicant: Gladys Margarita Ayanagoitia Moreno

Representative: Gladys Margarita Ayanagoitia Moreno

Location: 411 East Evergreen

Legal Description: Lot 9 and the west 14 feet of Lot 10, Block 29, NCB 396

Total Acreage: 0.2634

Notices Mailed

Owners of Property within 200 feet: 26

Registered Neighborhood Associations within 200 feet: Tobin Hill Neighborhood Association

Applicable Agencies: Office of Historic Preservation

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned "D" Apartment District. The property was rezoned by Ordinance 83331, dated December 14, 1995 to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "MF-33"

Current Land Uses: Apartment Complex

Direction: East

Current Base Zoning: "R-6"

Current Land Uses: Residential Dwelling

Direction: South

Current Base Zoning: "MF-33"

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: "MF-33"

Current Land Uses: Residential Dwelling

Overlay District Information:

The Historic District, is an overlay district which was adopted in 2008. This district does not regulate use of the property, but does enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. 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. The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Special District Information:

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

Transportation

Thoroughfare: East Evergreen

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Paschal Street

Existing Character: Local

Proposed Changes: None known.

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

Routes Served: 5, 204

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: “IDZ-1” waives the minimum parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-Family District permits dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: “IDZ-1” Limited Intensity Infill Development Zone allows rezoning requests up to 18 units per acre and uses permitted in “C-1” and “O-1”. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The proposed “IDZ-1” would allow four (4) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located with the Midtown Regional Center and within ½ a mile from the New Braunfels Avenue and San Pedro Premium Transit Corridors.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

- 1. Consistency:** The subject property is located within the Midtown Area Regional Center Plan and is currently designated as "Urban Low 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. The proposed use is consistent with the established development pattern of the surrounding area in terms of residential development.
- 3. Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-1" Limited Intensity Infill Development Zone uses permitted for four (4) dwelling units is an appropriate zoning for the property. The property does abut other properties zoned "R-6" Residential Single-Family and "MF-33" Multi-Family zoning. The area contains a mixture of single-family residences and multi-unit residences. The applicant intends on utilizing the existing structures on the property and is providing on-site parking for residents. The project is bound to the prescribed site plan where major site plan changes cannot be made without requesting another rezoning. The rezoning supports the City's Strategic Housing Implementation Plan for diverse housing options for growing population needs.
- 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 request does not appear to conflict with any public policy objective of the Midtown Area Regional Center Plan.

Goals and objectives of the Midtown Area Regional Center Plan include:

Goal 1: Preserve Midtown's Distinct Character

Objective 1.1: Preserve Midtown's essential character-defining elements: the diversity of people and the unique character of individual places and neighborhoods.

Goal 4: Support Unique, Mixed Activity Areas

Objective 4.2: Accommodate growth while preserving distinct characteristics of each part of Midtown and providing thoughtful transitions between uses.

Goal 5: Broaden Housing Choices

Objective 5.1: Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.

Objective 5.2: Conserve existing affordable housing and the existing diverse mix of housing types, and expand affordable housing options.

Objective 5.3: Rehabilitate or redevelop housing that is in poor condition.

6. **Size of Tract:** The 0.2634 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The applicant started off their request with “IDZ-2” Medium Intensity Infill Development Zone with uses permitted in “MF-25” Low Density Multi-Family. The applicant amended to align with staff’s recommendation of “IDZ-1” with uses permitted for five (5) dwelling units. At the Zoning meeting after discussion, the Commission recommended Approval for “IDZ-1” with four (4) units.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses.