



City of San Antonio

Agenda Memorandum

Agenda Date: March 1, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2022-10700006

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 for three (3) dwelling units

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: March 1, 2022. This case was continued from February 15, 2022.

Case Manager: Rebecca Rodriguez, Senior Planner

Property Owner: COGO INVESTMENTS LLC

Applicant: COGO INVESTMENTS LLC

Representative: Patrick Christensen

Location: 517 Marshall Street

Legal Description: Lot 6, Block 8, NCB 760

Total Acreage: 0.2378

Notices Mailed

Owners of Property within 200 feet: 27

Registered Neighborhood Associations within 200 feet: Five Points Owner Association

Applicable Agencies: Planning Department

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. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "D" Apartment District converted to the current "MF-33" Multi-Family District. The property was rezoned by Ordinance 97522, dated April 24, 2003, to "R-4" 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: R-4

Current Land Uses: Duplex

Direction: South

Current Base Zoning: R-4

Current Land Uses: Single-Family Residence

Direction: East

Current Base Zoning: R-4

Current Land Uses: Single-Family Residence

Direction: West

Current Base Zoning: R-4

Current Land Uses: Triplex

Overlay District Information:

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:** Marshall**Existing Character:** Local**Proposed Changes:** None**Thoroughfare:** North Flores**Existing Character:** Secondary Arterial B**Proposed Changes:** None**Public Transit:** There are VIA bus routes are within walking distance of the subject property.

Routes Served: 2, 82, 88, 202, 282, 288

Traffic Impact: Preliminary – Prior to submittal at time of building permit and/or plat site plan will be required (detailed review will be conducted at time of platting and/or permitting). All Substandard Street improvements can be reviewed as part of the associated plat, the option of submitting an SIP is also available which will be required at time of Building permit.

Parking Information: The minimum parking requirement for three (3) dwelling units is 1.5 per unit. “IDZ-1” waives the minimum parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-3” Residential Single-Family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 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 applicant proposes three (3) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is within the Midtown Regional Center and within the Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate Recommendation of “R-4 CD” Residential Single-Family with Conditional Use for three (3) dwelling units.

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. The area is primarily “R-4” Residential Single-Family and the any “IDZ” Infill Development Zoned properties are located along Sam Houston Street on the other side of the block.
3. **Suitability as Presently Zoned:** The existing “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-1" Limited Intensity Infill Development Zone with uses permitted for three (3) dwelling units is not appropriate, as the base district can be maintained, and a Conditional Use can be utilized for the three (3) units. Thus, staff recommends an alternate request of “R-4 CD” Residential Single-Family with Conditional Use for three (3) dwelling units.
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. The proposed zoning change will meet the following goals and principles 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. Focus most new housing development closer to multimodal transportation corridors.

Housing Recommendation #3: Maintain affordability and a diversity of housing options by accommodating additional housing in neighborhoods and transition areas through context-sensitive design and small-scale, infill housing.

Housing Strategy 3.3

Encourage additional neighborhood housing such as accessory dwelling units and middle-density housing types (e.g. duplex, triplex) where consistent with the Future Land Use Plan and policy.

6. **Size of Tract:** The 0.23 acre site is of sufficient size to reasonably accommodate the proposed residential development.

7. **Other Factors** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The applicant is requesting to rezone from “R-4” to “IDZ-1”, in order to allow for three (3) dwelling units.