



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 6, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

Zoning Case Z-2023-10700009

**SUMMARY:**

**Current Zoning:** "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "R-4" Residential Single-Family District

**Requested Zoning:** "IDZ-1 H AHOD" Limited Intensity Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted for one (1) dwelling unit and for a Major Site Plan Amendment for a decrease in perimeter buffer between "IDZ" plan area and adjacent properties

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 7, 2023. This case was continued from February 21, 2023.

**Case Manager:** Camryn Blackmon, Zoning Planner

**Property Owner:** JS&WS Holdings LLC

**Applicant:** Nicholas Melde

**Representative:** Nicholas Melde

**Location:** 228 Barrera Street

**Legal Description:** Lot 7, Block 14, NCB 717

**Total Acreage:** 0.0553

**Notices Mailed****Owners of Property within 200 feet:** 35**Registered Neighborhood Associations within 200 feet:** Lavaca Neighborhood Association**Applicable Agencies:** Office of Historic Preservation and 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. The property was rezoned by Ordinance 74924, dated December 9, 1991, to “R-2” Two-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-2” Two-Family Residence District converted to “RM-4” Residential Mixed District. The property was rezoned by Ordinance 2018-08-02-0565, dated August 12, 2018, to “IDZ” Infill Development Zone District with uses permitted in “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:** RM-4**Current Land Uses:** Single-Family Dwelling**Direction:** East**Current Base Zoning:** IDZ**Current Land Uses:** Single-Family Dwelling**Direction:** South**Current Base Zoning:** RM-4**Current Land Uses:** Single-Family Dwelling**Direction:** West**Current Base Zoning:** RM-4**Current Land Uses:** Single-Family Dwelling**Overlay District Information:**

The Lavaca Historic District is an overlay district which was adopted in 2001. 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:** Barrera Street

**Existing Character:** None

**Proposed Changes:** None Known

**Thoroughfare:** Indianola Street

**Existing Character:** None

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 32, 36, 232

**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:** The minimum parking requirement for one (1) family dwelling unit is 1 per unit.

“IDZ-1” waives the minimum parking requirement.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: “IDZ” Infill Development Zone District provides flexible standards for the development and reuse of underutilized parcels within a qualifying area of the city. Although this district still exists, it is no longer approved for new properties. With uses permitted in "R-4."

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 one (1) dwelling unit

**FISCAL IMPACT:**

None.

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

Subject property is located with the Downtown Regional Center and within ½ a mile from the Commerce – Houston Premium Transit Corridor.

## **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 Downtown 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. Surrounding properties are zoned “IDZ” Infill Development Zone District and “RM-4” Residential Mixed District.
3. **Suitability as Presently Zoned:** The existing “IDZ” with uses permitted in “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-1” Limited Intensity Infill Development with uses permitted for one (1) dwelling unit is also appropriate. The applicant is requesting a Major Site Plan Amendment for a decrease in the perimeter buffer between the “IDZ” plan area and adjacent properties. The new setback is three (3) feet along the east and west property lines. The UDC requires the rezoning process as part of the change to the site plan. However, the “IDZ-1” Limited Density Infill Development District requires a 5-foot minimum setback. A reduction from a 5-foot setback to the proposed 3-foot setback will also require a variance from the Board of Adjustment to complete the process.
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 objectives of the Downtown Area Regional Plan.

### **Relevant Goals, Objectives, and Themes of the Downtown Area Regional Plan include:**

- **Goal 6:** Broaden the Diversity of Housing Options throughout the Downtown Core and its neighborhoods
    - Provide a variety of housing types, both owner- and renter-occupied, that are affordable for people at all stages of life and for a range of income levels;
    - Ensure Downtown is a livable place for families, children, students, the elderly, and others
6. **Size of Tract:** The 0.0553 acre site is of sufficient size to accommodate the proposed one (1) dwelling unit 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 for one (1) dwelling unit.

This property is located within the Lavaca Historic District. Any new construction will require approval from the Office of Historic Preservation. Approval of a site plan or materials submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. On February 15, 2023, the Historic & Design Review Commission approved the request to construct a new 2-story, single-family residence and attached carport. The site plan approved by the HDRC matches the one provided to the Zoning Commission.