



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-2370

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/5/2018

**Title:** ZONING CASE # Z2017228 (Council District 1): An Ordinance amending the Zoning District Boundary from "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District to "O-1 H AHOD" Office Monte Vista Historic Airport Hazard Overlay District on Lot 10 and the west 3.78 feet of Lot 11, Block 11, NCB 1836, located at 133 West Mistletoe Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2018-04-05-0228

Date	Ver.	Action By	Action	Result
4/5/2018	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017228

**SUMMARY:**

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

**Requested Zoning:** "O-1 H AHOD" Office Monte Vista Historic Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 6, 2018. This case has been previously heard on September 5, 2017, September 19, 2017, October 17, 2017, November 7, 2017, and November 21, 2017. This case is being reinitiated from a December 19, 2017 postponement.

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Howard Street Partnership Ltd

**Applicant:** Catherine Laird

**Representative:** Catherine Laird

**Location:** 133 West Mistletoe Avenue

**Legal Description:** Lot 10 and the west 3.78 feet of Lot 11, Block 11, NCB 1836

**Total Acreage:** 0.1421

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Monte Vista Historical Association

**Applicable Agencies:** Department of Planning and Community Development, Office of Historic Preservation

**Property Details**

**Property History:** The subject property was included in the original 36 square miles of the City of San Antonio and was zoned "B" Residence district. Upon the adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "R-4" Residential Single-Family District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** MF-33

**Current Land Uses:** Apartments, Quadraplexes, Duplexes

**Direction:** East

**Current Base Zoning:** R-4, C-1, O-2

**Current Land Uses:** Single Family residences, and Offices

**Direction:** South

**Current Base Zoning:** R-4, RM-4, C-1

**Current Land Uses:** Duplexes, Quadraplex, Retail Store

**Direction:** West

**Current Base Zoning:** R-4, MF-33,

**Current Land Uses:** Quadraplexes, Duplexes, Condominiums, Parking Lot

**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.

The surrounding properties are located in the Monte Vista Historic District, which was adopted in 1975. Historic districts do not regulate use of the property, but do 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.

**Transportation**

**Thoroughfare:** West Mistletoe Avenue  
**Existing Character:** Local Road  
**Proposed Changes:** None Known

**Thoroughfare:** Howard Street  
**Existing Character:** Local Road  
**Proposed Changes:** None Known

**Public Transit:** VIA route 90 is within walking distance from the subject property.

**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:** Office: Minimum Vehicle Spaces-1 per 300 sf GFA. Maximum Vehicle Spaces- 1 per 140 sf GFA.

**ISSUE:**  
None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. The current “R-4” Residential Single-Family allows single-family dwellings (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet. Other permitted uses are foster family home and public/private schools.

**FISCAL IMPACT:**  
None.

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

The subject property is within ½ a mile of the San Pedro Premium Transit Corridor, but not within a Regional Center.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval.

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

**1. Consistency:**

The property is located within the Monte Vista Neighborhood Plan. The Plan is to be used as a guide, therefore a finding of consistency is not required.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant proposes to use the property for office purposes. The structure was built in 1907 as a commercial building and structurally has never been a residence. The property currently sits on the front and side property lines, and is likely a nonconforming structure. The applicant does not plan to demolish the historic structure and intends to continue using the space for Office uses. Allowing the change to “O-1” Office District will not alter the character of the neighborhood, but will give the property the correct a consistent zoning with the previous and current use of the property zoning.

**3. Suitability as Presently Zoned:**

The current “R-4” base zoning district is not appropriate for the subject property’s location. The commercial structure is existing, and the proposed “O-1” is not an intense use, and will not negatively impact the urban fabric of the neighborhood.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property totals 0.142 acres in size, which reasonably accommodates the uses permitted in “O-1” Office District.

**7. Other Factors:**

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.