



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-3486

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/2/2018

**Title:** ZONING CASE # Z2018139 (Council District 2): Ordinance amending the Zoning District Boundary from "R-6 H AHOD" Residential Single-Family Government Hill Historic Airport Hazard Overlay District to "RM-5 H AHOD" Residential Mixed Government Hill Historic Airport Hazard Overlay District on Lot 5 and the south 51 feet of Lot 4, Block 1, NCB 1265, located at 421 Pierce Avenue. Staff recommends Approval, pending Plan Amendment. Zoning Commission recommends Denial. (Associated Plan Amendment 18044)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2018-08-02-0569

Date	Ver.	Action By	Action	Result
8/2/2018	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018139  
(Associated Plan Amendment 18044)

**SUMMARY:**

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

**Requested Zoning:** "RM-5 H AHOD" Residential Mixed Government Hill Historic Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 1, 2018. This case is continued from the April 3, 2018 Zoning Hearing.

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Arlene R. Tey, Oscar Tey

**Applicant:** Peggy Brimhall

**Representative:** Peggy Brimhall

**Location:** 421 Pierce Avenue

**Legal Description:** Lot 5 and the south 51 feet of Lot 4, Block 1, NCB 1265

**Total Acreage:** 0.3388

**Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association

**Applicable Agencies:** None.

**Property Details**

**Property History:** The property was a part of the original 36-square miles of the City of San Antonio and was zoned "D" Apartment District. The property converted from "D" to "MF-33" Multi-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001. The Government Hill Historic District was created by Ordinance 95603, dated April 11, 2002. The property was a part of a large area rezoning initiated by the City of San Antonio was rezoned from "MF-33" to the current "R-6" Residential Single-Family District by Ordinance 2010-11-04-0971, dated November 4, 2010.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residences, Church

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residence, Duplex

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Apartments, Church

**Direction:** West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residence, Duplex

**Overlay and Special District Information:**

"AHOD"

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.

"H"

The surrounding properties are located in the Government Hill Historic District, which was adopted in 2002. 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:** Pierce Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** East Carson Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Colita Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus route 20 is within walking distance of 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:**

The minimum parking required is 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "R-6", which currently accommodates single-family dwellings (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.

**FISCAL IMPACT:**

None.

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

The property is not within a Regional Center. The property is within a ½ of a mile of the New Braunfels Avenue Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending the Plan Amendment. Zoning Commission (9-0) recommends Denial.

**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 Government Hill Neighborhood Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “RM-5” base zoning district is not consistent with the future land use designation. The applicant is requesting a land use amendment from “Low Density Residential” to “Medium Density Residential” to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval of the Plan Amendment.

**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 proposed rezoning is consistent with the surrounding neighborhood.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area which includes a mix of base zoning districts.

**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 proposed rezoning does not appear to conflict with the goals and objectives of the Government Hill Neighborhood Plan. The plan specifies the preservation of existing single-family structures in established single-family areas. The subject property is a vacant lot and the presence of “Medium Density Residential” land use throughout the neighborhood makes the request of “RM-5” appropriate for the area. In addition, the SA Tomorrow Comprehensive Plan promotes more dense residential development to be located within Premium Transit Corridors and the urban core of the city.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

GCF Goal 1: Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.

GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

GCF P1: Incentivize the development of housing and employment uses in the city’s priority growth areas.

GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.

GCF P10: Develop a plan to preserve and maintain affordable housing within revitalizing neighborhoods and along transit corridors.

H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.

H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

H Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.

H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.

H P30: Ensure infill development is compatible with existing neighborhoods.

The rezone request is consistent with several of the goals and policies of the SA Tomorrow Comprehensive Plan. Likewise, the proposal is generally consistent with the recommendations of the Government Hill Neighborhood Plan to allow limited medium density residential land uses within the area classified as low density residential.

**6. Size of Tract:**

The subject property is 0.3388 of an acre, which may accommodate proposed residential units.

**7. Other Factors:**

None.