



City of San Antonio

Legislation Details (With Text)

File #: 17-6187

Type: Zoning Case

In control: Zoning Commission

On agenda: 11/21/2017

Title: (Continued from 11/07/17) ZONING CASE # Z2017228 (Council District 1): A request for a change in zoning from "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with the following uses: Museum – public or private, Church, Temple, Mosque, facilities that are for worship or study of religion, Live-Work Units, Loft, Housing Temporary or Permanent For On-Premises Caretaker, Public Safety Facilities, Fitness Center/Health Club, Gymnasium, Natatorium, Sport Court-Indoor Only, Antique Store, Art Gallery, Bookstore, Candy, Nut and Confectionery, Drugstore – Apothecary, Florist, Gift Shop, Newsstand, Stationary Products, Bank/Credit Union, Barber/Beauty Shop, Bed and Breakfast, Copy Service- Blueprinting and Photocopying, Food Service Establishment Without Cover Charge 3 or More Days Per Week (With or Without Accessory Live Entertainment) Limited to 1,000 SF No Alcohol, Library, Loan Office, Massage - Therapeutic ,Medical - Chiropractor Office, Medical - Clinic (Physician and/or Dentist), Medical - Clinic Physical Therapist, Medical - Optical Goods Retail, Medical - Optometry Office, Office Data Processing & Management, Office Professional, Post Office, Radio or Television Station Studio, Reading Room, Studio - Fine or Performing Arts, Studio - Interior Decorating, Watch Repair on Lot 10 and the West 3.78 feet of Lot 11, Block 11, NCB 1836, located at 133 West Mistletoe Avenue. Staff recommends Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
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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: "IDZ H AHOD" Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with the following uses: Museum - public or private, Church, Temple, Mosque, facilities that are for worship or study of religion, Live-Work Units, Loft, Housing Temporary or Permanent For On-Premises Caretaker, Public Safety Facilities, Fitness Center/Health Club, Gymnasium, Natatorium, Sport Court-Indoor

Only, Antique Store, Art Gallery, Bookstore, Candy, Nut and Confectionery, Drugstore - Apothecary, Florist, Gift Shop, Newsstand, Stationary Products, Bank/Credit Union, Barber/Beauty Shop, Bed and Breakfast, Copy Service- Blueprinting and Photocopying, Food Service Establishment Without Cover Charge 3 or More Days Per Week (With or Without Accessory Live Entertainment) Limited to 1,000 SF No Alcohol, Library, Loan Office, Massage - Therapeutic, Medical - Chiropractor Office, Medical - Clinic (Physician and/or Dentist), Medical - Clinic Physical Therapist, Medical - Optical Goods Retail, Medical - Optometry Office, Office Data Processing & Management, Office Professional, Post Office, Radio or Television Station Studio, Reading Room, Studio - Fine or Performing Arts, Studio - Interior Decorating, Watch Repair

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 21, 2017. This case was continued from September 5, 2017 Zoning hearing, was postponed at the September 19, 2017 Zoning hearing, and was continued at the October 17, 2017 and November 7, 2017 Zoning hearings.

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. Infill Development (IDZ) is exempt from TIA requirements

Parking Information: The "IDZ" Infill Development Zone District waives off-street vehicle parking requirements.

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 recommends 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 a mix of uses in the future. 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 light commercial uses and is adjacent to a property zoned “C-1”. Allowing the change to “IDZ” will not alter the character of the neighborhood, but will give the property the correct zoning.

3. Suitability as Presently Zoned:

The current “R-4” base zoning district is appropriate for the subject property’s location. However, the structure is existing, and the proposed “IDZ” uses are not intense uses, 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 “IDZ” Infill Development Zone District.

7. Other Factors:

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

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.

The IDZ request is also consistent with the Master Plan's Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.