



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-4285

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/17/2021

**Title:** ZONING CASE Z-2021-10700088 HL (Council District 1): Ordinance amending the Zoning District Boundary from "MF-33 UC-5 AHOD" Multi-Family Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District to "MF-33 HL UC-5 AHOD" Multi-Family Historic Landmark Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District on Lot 12, Block 8, NCB 1730, located at 212 East Dewey Place. Staff recommends Approval. Zoning Commission recommends Denial.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. 01 OHP Memo 212 E Dewey Place, 3. 02 20210421\_HDRC Action Letter 212 E Dewey Pl, 4. 03 212 E Dewey Resolution 2021-04-01-0024R, 5. 04 HDR Public Exhibits 212 E Dewey Pl, 6. Zoning Minutes, 7. Draft Ordinance

Date	Ver.	Action By	Action	Result
6/17/2021	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:** Zoning Case Z2021-10700088 HL

**SUMMARY:**

**Current Zoning:** "MF-33 UC-5 AHOD" Multi-Family Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "MF-33 HL UC-5 AHOD" Multi-Family Historic Landmark Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 18, 2021

**Case Manager:** Joyce Palmer, Planner

**Property Owner:** Jimmy Nassour, Cabot-Chase, Ltd.

**Applicant:** City of San Antonio

**Representative:** City of San Antonio

**Location:** 212 East Dewey Place

**Legal Description:** Lot 12, Block 8, NCB 1730

**Total Acreage:** 0.2047 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** The Tobin Hill Community Association

**Applicable Agencies:** Office of Historic Preservation, Planning Department

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "D" Apartment District. The property was rezoned to "R-3" Multiple-Family Residence District by Ordinance 83331, dated December 14, 1995. The previous "R-3" Multiple-Family Residence District converted to the current "MF-33" Multi-Family District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001.

**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:** "C-1"

**Current Land Uses:** Multi-family dwellings and parking lot

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Multi-family dwellings and restaurant

**Direction:** South

**Current Base Zoning:** "C-1" and "C-2"

**Current Land Uses:** Professional offices and parking lot

**Direction:** West

**Current Base Zoning:** "MF-33" and "O-1"

**Current Land Uses:** Multi-family dwellings and single-family dwelling

**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.

"UC"

The Urban Corridor overlay was established because there are many roadway corridors which have been and/or

will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of “UC” serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

"HL"

A number of surrounding properties carry the “HL” Historic landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property but do regulate the exterior aesthetic of the structure. 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:** Dewey Place

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance of the subject property.

**Routes:** 5, 20, 90

**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 MF-33 base zoning requires 1.5 spaces per unit.

**ISSUE:** None.

**ALTERNATIVES:**

**Current:** The current “MF-33” Multi-Family District provides areas for multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, rowhouse or zero-lot line dwelling, with a maximum density of 33 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**Proposed:** The current “MF-33” Multi-Family District provides areas for multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, rowhouse or zero-lot line dwelling, with a maximum density of 33 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

The proposed rezoning maintains the base district and adds the “HL” Historic Landmark designation.

**FISCAL IMPACT:** None.

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

The property is within the Midtown Regional Center and is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission (8-3) 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 Midtown Area Regional Center Plan and is currently designated as “Urban Mixed Use.” The proposed request maintains the same base zoning but adds a historic overlay. Application of a Historic Overlay is consistent with the goals and objectives of the plan for historic 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 base zoning district will remain the same.

**3. Suitability as Presently Zoned:**

The current “MF-33” Multi-Family District is an appropriate zoning for the property and surrounding area. The proposed request maintains the “MF-33” Multi-Family District zoning but adds a historic overlay.

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Midtown Area Regional Center Plan:

Goal 1.1: Preserve Midtown’s essential character-defining elements: the diversity of people and the unique character of individual places and neighborhoods.

Goal 1.2: Maintain buildings with exemplary historic character.

Goal 1.3: Highlight the history and heritage of the area and share stories through urban design, public art, and cultural events.

**6. Size of Tract:**

The subject property is 0.2047 acres, which could reasonably accommodate “MF-33” Multi-Family District and application of a historic landmark.

**7. Other Factors:**

The request for landmark designation was initiated by the City Council. The owner does not support designation.

On February 3, 2021, the Historic and Design Review Commission approved a Finding of Historic Significance for the property at 212 E. Dewey Place. On April 1, 2021, City Council approved Resolution 2021-04-01-0024R initiating a change in zoning for the property to include a historic landmark overlay. As a step in the zoning process, a recommendation regarding the proposed designation was required from the HDRC. On April 21, 2021, the HDRC recommended designation.