



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5859

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/2/2017

**Title:** ZONING CASE # Z2017271 HL (Council District 1): An Ordinance amending the Zoning District Boundary from "RM-4 NCD-1 AHOD" Residential Mixed South Presa/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District to "RM-4 HL NCD-1 AHOD" Residential Mixed Historic Landmark South Presa/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District on Lot 5, and 5 feet of Lot 4, Block 1, NCB 3097, located at 127 Lotus Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. OHP Review Document, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2017-11-02-0857

Date	Ver.	Action By	Action	Result
11/2/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**  
Zoning Case Z2017271 HL

**SUMMARY:**

**Current Zoning:** "RM-4 NCD-1 AHOD" Residential Mixed South Presa/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "RM-4 HL NCD-1 AHOD" Residential Mixed Historic Landmark South Presa/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 3, 2017

**Case Manager:** John Osten, Sr. Planner

**Property Owner:** Michael Capelli

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 127 Lotus Street

**Legal Description:** Lot 5 and 5 FT of 4, Block 1, NCB 3097

**Total Acreage:** 0.1843

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Lavaca Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The subject property was included in the Original City Limits of San Antonio, and zoned "R-2" Residential District. The current "RM-4" base zoning district resulted from the zoning district conversion that accompanied the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001). In addition, current "NCD-1" South Presa/South St. Mary's Streets Neighborhood Conservation District was adopted as a zoning overlay district in November 2002 (Ordinance 96732).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** RM-4

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** IDZ (MF-18)

**Current Land Uses:** Multi-Family Residential

**Direction:** South

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Residential

**Direction:** West

**Current Base Zoning:** RM-4

**Current Land Uses:** Single-Family Residential

**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.

**Transportation**

**Thoroughfare:** South St. Mary's Street

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None known

**Thoroughfare:** South Presa Street  
**Existing Character:** Secondary Arterial Type B  
**Proposed Changes:** None known

**Public Transit:** There are bus stops located both on South St. Mary's and South Presa Streets intersections with Lotus Avenue. VIA Bus routes 34, 42, and 242 serves along South St. Mary's Street; route 36 serves along South Presa Street.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required.

**Parking Information:** Historic Landmark zoning overlay designation will not impact the parking requirement for the use on site.

**ISSUE:**  
None.

**ALTERNATIVES:**  
Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**  
None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**  
The subject property is located within Downtown Regional Center, but it is not located within a half-mile of a Premium Transit Corridor.

**RECOMMENDATION:**  
**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval.

**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 Lavaca Neighborhood Plan and is currently designated as Low Density Residential in the land use component of the plan. The requested "HL" overlay zoning district does not require a determination of consistency.

**2. Adverse Impacts on Neighboring Lands:**  
Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Requested "HL" overlay zoning district is not going to affect the use of the property.

**3. Suitability as Presently Zoned:**  
The subject property is currently zoned with "RM-4" base zoning district which is appropriate for the surrounding area, seeing as it is surrounded by residential uses.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The change in zoning overlay is for protecting the historical uniqueness and heritage of the property.

**5. Public Policy:**

The request does not appear to conflict with any public policy object because it is consistent with the future land use plan.

**6. Size of Tract:**

The subject property is 0.1843-acre site.

**7. Other Factors:**

Request for “HL” Historic Landmark zoning overlay designation was heard before the Historic and Design Review Commission on August 16, 2017 and approved by the Commission.

Office of Historic Preservation’s report is attached as a part of the application package.