



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-4135

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 7/18/2017

**Title:** ZONING CASE # Z2017183 (Council District 2): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District to allow up to 20 Apartment Units, 8 Artist Studios, and an Art Gallery on Lot 4, 5, 6, and 7, Block C, NCB 1349, located at 113, 115, and 119 Arthur Street. Staff recommends Denial with an Alternate Recommendation, pending Plan Amendment. (Associated Plan Amendment 17058).

**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:** 2

**SUBJECT:**

Zoning Case Z2017183  
(Associated Plan Amendment 17058)

**SUMMARY:**

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

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District to allow up to 20 Apartment Units, 8 Artist Studios, and an Art Gallery

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 18, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Peppergrass Group, LLC Nicolas Rivard, Managing Member

**Applicant:** Nicolas Rivard

**Representative:** Nicolas Rivard

**Location:** 113, 115, and 119 Arthur Street

**Legal Description:** Lot 4, 5, 6, & 7, Block C, NCB 1349

**Total Acreage:** 0.406

**Notices Mailed**

**Owners of Property within 200 feet:** 39

**Registered Neighborhood Associations within 200 feet:** Dignowity Hill Neighborhood Association

**Applicable Agencies:** 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 "C" Apartment District. A 1989 case, Ordinance 70785, rezoned the property to "R-7" Small Lot Home District. Upon adoption of the 2001 Unified Development Code, the previous "R-7" Small Lot Home District converted to the current "R-4" Residential Single-Family District

**Topography:** The subject property is currently within the Salado Creek Watershed.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4

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

**Direction:** East

**Current Base Zoning:** R-4

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

**Direction:** South

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residences, Duplex and Triplex

**Direction:** West

**Current Base Zoning:** R-5, RM-6

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

**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:** Arthur Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** Logan Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** Via route 22 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.

**FISCAL IMPACT:**  
None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**  
The subject property is not located within a regional center, but is within a ½ mile of the North New Braunfels Avenue Premium Corridor.

**Staff Analysis and Recommendation:** Staff recommends Denial with the Alternate Recommendation of 10 Apartment Units, 8 Artist Studios, and an Art Gallery.

**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 Dignowity Hill Neighborhood Plan, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ” Infill Development Zone base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to change the land use designation from “Low Density Residential” to “Low Density Mixed Use”. Staff and Planning Commission recommend Approval.

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

The applicant is proposing twenty residential units, eight artist studios, and an art gallery. One of the structures currently presents a safety hazard and will be demolished, however, the remaining two structures will be adaptively reused and preserved. This mixed use project is surrounded by residential uses and is within close proximity of the North New Braunfels Avenue Premium Corridor, and the Arts and Entertainment District. The subject property is an ideal location for the “Low Density Mixed Use” land use category within the Dignowity Hill Neighborhood Plan, which aims to promote walkability preserve the character of Dignowity Hill, and promote homeownership through infill development and housing rehabilitation. With the appropriate density the proposed project is a suitable fit.

**3. Suitability as Presently Zoned:**

The current “R-4” base zoning district is appropriate for the subject property’s location; however, the proposed multi-family portion of this “IDZ” mixed used development offers diverse housing options for the

neighborhood.

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

Staff is concerned that 20 dwelling units on the property, being the equivalent 49 units per acre, is too dense. However, staff recommendation of 10 dwelling units, equaling 25 units per acre, is more appropriate, as well as consistent with the requested “Low Density Mixed Use” category.

**5. Public Policy:**

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

**6. Size of Tract:**

The subject property totals 0.406 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 of 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.