



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-2109

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 3/18/2021

**Title:** ZONING CASE Z-2019-10700295-C (Council District 1): Ordinance amending the Zoning District Boundary from "O-2 H AHOD" High-Rise Office Monte Vista Historic Airport Hazard Overlay District and "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District to "RM-6 CD H AHOD" Residential Mixed Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Professional Office of Lot 2 and the south 10-feet of Lot 6, Block 4, NCB 1880 and "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District on Lot 5, Block 4, NCB 1880, located at 509 West French Place. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Original Application, 3. Initiating Ordinance Z-2019-10700295, 4. Resolution, 5. Zoning Minutes, 6. Draft Ordinance, 7. Ordinance 2021-03-18-0186

Date	Ver.	Action By	Action	Result
3/18/2021	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700295-C

**SUMMARY:**

**Current Zoning:** "O-2 H AHOD" High-Rise Office Monte Vista Historic Airport Hazard Overlay District and "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District

**Requested Zoning:** "RM-6 CD H AHOD" Residential Mixed Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Professional Office on Lot 2 and the South 10 feet of Lot 6, Block 4, NCB 1880 and "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District on Lot 5, Block 4, NCB 1880

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 2, 2021

**Case Manager:** Juanita Romero, Senior Planner

**Property Owner:** Stuart F. and Julianne Brown Jr.

**Applicant:** City of San Antonio

**Representative:** City of San Antonio

**Location:** 509 West French Place

**Legal Description:** Lot 2, Lot 5 and the south 10-feet of Lot 6, Block 4, NCB 1880, Block 4, NCB 1880

**Total Acreage:** 0.6249

**Notices Mail32**

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

**Registered Neighborhood Associations within 200 feet:** Monte Vista Historical Association and Alta Vista Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned "E" Office District with a portion of the property zoned "B" Residence District. The subject property converted from "E" Office District to "O-2" High-Rise Office District and from "B" Residence District to "R-4" Residential Single Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 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:** "R-4 CD"

**Current Land Uses:** Single Family Dwelling

**Direction:** East

**Current Base Zoning:** "R-4", "R-4 CD"

**Current Land Uses:** Single Family Dwelling

**Direction:** West

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

**Current Land Uses:** Office-Real Estate Office

**Direction:** South

**Current Base Zoning:** "C-2" and "R-4 CD"

**Current Land Uses:** Office-Mi Casa Financial

**Overlay and Special District Information:**

"H"

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.

"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.

### **Transportation**

**Thoroughfare:** West French Place

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Route Served:** 4

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The minimum parking requirement for a commercial building is 1 parking space per 375 square foot of Gross Floor Area

**ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property maintaining its current zoning of "O-2" High-Rise Office District

**Current:** The "O-2" High Rise Office District provides for the establishment of low to high-rise office buildings. Examples of permitted uses: art galleries, fitness recreation centers, parks, and schools. Outdoor display or sale of merchandise is prohibited and the present zoning district designation of "R-4" Residential Single-Family are designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Current:** The "R-4" Residential Single-Family District allows single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, as well as foster family home, public and private schools.

**Proposed:** The proposed "RM-6 CD" allows a Single-family dwelling (detached, attached or townhouse), two-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 6,000 square feet and a minimum lot width of 15 feet, foster family home, public and private schools.

The proposed "CD" Conditional Use would allow a Professional Office, in addition to the residential uses.

**Proposed:** The proposed zoning district designation of “R-4” Residential Single-Family are designed for single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, as well as foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The property is not part of a regional center, but it is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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 Monte Vista Neighborhood Plan which is not a land use consistency plan, however, it may be used as a guide in evaluating rezoning. As such, the requested “RM-6 CD” and “R-4” zoning districts are consistent with the area and surrounding zoning.

**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 surrounding properties are zoned “O-2” High Rise Office, “C-2” Commercial District and “R-4” Residential Single-Family.

**3. Suitability as Presently Zoned:**

The current “O-2” High-Rise Office District is not an appropriate zoning for this neighborhood adjacent site. The requested “RM-6 CD” Mixed Residential is more appropriate for the existing structure on the property. The proposed “CD” allows consideration of a Professional Office in addition to use as a single-family residence. The proposed “R-4” is consistent with the established uses and development pattern.

**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 Monte Vista Neighborhood Plan.

**6. Size of Tract:**

The subject property is 0.6249 acres, which could reasonably accommodate the existing residential, residential mix and office uses.

**7. Other Factors:**

This rezoning request is a result of a City Council Resolution initiated by Council District 1 on November 9, 2017. Action on December 3, 2020 by City Council to rezone the Monte Vista South area as part of a large area rezoning also resulted in 4 properties to be reviewed, including this one.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the

established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

This request seeks to rezone for a professional office that is currently existing on the property.

The following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.