



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-726

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/17/2014

**Title:** ZONING CASE # Z2014095 HL (District 3): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "MF-33 HL AHOD" Historic Landmark Multi-Family Airport Hazard Overlay District on Lots 11 and 12, Block 35, NCB 3303 located at 544 Hammond Avenue. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-095, 2. Z2014095 HL\_Statement of Significance, 3. Z2014095 HL, 4. Draft Ordinance, 5. Ordinance 2014-04-17-0272

Date	Ver.	Action By	Action	Result
4/17/2014	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez (DSD)

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2014095 HL

**SUMMARY:**

**Current Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**Requested Zoning:** "MF-33 HL AHOD" Historic Landmark Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 18, 2014

**Case Manager:** Krystin Ramirez, Planning Technician

**Property Owner:** Rudolfo Martinez

**Applicant:** City of San Antonio Office of Historic Preservation

**Representative:** City of San Antonio Office of Historic Preservation

**Location:** 544 Hammond Avenue

**Legal Description:** Lots 11 and 12, Block 35, NCB 3303

**Total Acreage:** 0.3444

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Neighborhood Associations:** Highland Park Neighborhood Association (within 200 feet)

**Planning Team Members:** Highlands Community Plan (62)

**Applicable Agencies:** City of San Antonio Office of Historic Preservation

**Property Details**

**Property History:** The subject property is located within the city limits as established in 1938 and was originally zoned "B" Residence District. In a 1965 rezoning case, the property was rezoned to "D" Apartment District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "MF-33" Multi-Family District. The subject property consists of two platted lots that are developed with a single-family home measuring approximate 3,176 square feet that was constructed in 1910 (with a small addition built in 2007).

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

**Adjacent Zoning and Land Uses**

**Direction:** All

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

**Current land uses:** Single-family residences, duplex and elementary school

**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:** Hammond Avenue

**Existing Character:** Local Street; one lane in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Saint Anthony Avenue

**Existing Character:** Local Street; one lane in each direction with a sidewalk

**Proposed Changes:** None known

**Public Transit:** VIA bus lines 30 and 230 operate along Rigsby Avenue.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The subject property is currently developed and being used as a residence. The zoning change request will not affect the range of allowable uses and there is no proposed change in use related to this rezoning request; therefore there is no change in the parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the existing zoning designation.

**FISCAL IMPACT:**

None. The zoning request is eligible for the Inner City Reinvestment Infill Policy fee waiver. The Development Services Department fees will be reimbursed through grant funding.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend 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 Highlands Community Plan and is currently designated as Low Density Residential in the future land use component of the plan. Requests for Historic Landmark designations do not change either the existing base zoning district or uses permitted by-right; therefore, a finding of consistency is not required.

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

Granting of the “HL” Historic Landmark designation will not have an adverse impact on the neighborhood. Historic designation does not affect the range of permitted uses, but does regulate the exterior aesthetic of the structure and any new construction. The purpose of the requested zoning change is to protect and preserve the structure and make the property eligible for tax incentives for rehabilitation.

**3. Suitability as Presently Zoned:**

The “MF-33” base zoning district is consistent with the adopted land use designation and the surrounding zoning and uses. There is no change proposed for the base zoning district.

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

**6. Size of Tract:**

The size of the subject property is not an issue for the consideration of historic landmark designation.

**7. Other Factors:**

On January 15, 2014, the Historic and Design Review Commission issued a Certificate of Appropriateness identifying the property as historically significant based on criteria listed in Section 35-607 of the Unified Development Code. The six criteria identified as being applicable to the subject property are specified in the attached Certificate of Appropriateness and Statement of Significance.

This request for Historic Landmark designation was initiated by the property owner.

