



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1527

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/7/2014

**Title:** ZONING CASE # Z2014179 (District 1): An Ordinance amending the Zoning District Boundary from "MF-33 NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-5" Residential Mixed District on Lots 1, 2, 9, and 10, Block 10, NCB 1890 save and except those portions of Lots 1, 9, and 10 conveyed to the City of San Antonio in Volume 1956, Page 74 of the Bexar County Deed Records, located at 615 West Ashby Place and 626 West French Place. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14055)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Commission Minutes, 4. Ordinance 2014-08-07-0550

Date	Ver.	Action By	Action	Result
8/7/2014	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 1

**SUBJECT:**

Zoning Case Z2014179

**SUMMARY:**

**Current Zoning:** "MF-33 NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-5" Residential Mixed District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 1, 2014

**Case Manager:** Tony Felts, Planner

**Property Owner:** Johannes & Joanna Laven (by Mark T. Laven, Attorney-in-Fact)

**Applicant:** Janice Yow Hindes

**Representative:** Janice Yow Hindes

**Location:** 615 West Ashby Place and 626 West French Place

**Legal Description:** Lots 1, 2, 9, and 10, Block 10, NCB 1890 save and except those portions of Lots 1, 9, and 10 conveyed to the City of San Antonio in Volume 1956, Page 74 of the Bexar County Deed Records

**Total Acreage:** 0.8742

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Alta Vista Neighborhood Association

**Planning Team:** Midtown Neighborhoods Plan - 11

**Applicable Agencies:** Parks and Recreation Department

**Property Details**

**Property History:** The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned "D" Apartment District. In a 1979 case, the subject property was rezoned to "R-3" Multi-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "MF-33" Multi-Family District.

The property is developed with a vacant 7,815 square-foot structure that was built in 1914. Additionally, there is a carriage house structure on the property that houses two dwelling units, which was built in 1965. The subject property consists of one platted lot, and the remaining portions of three other platted lots.

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

**Adjacent Zoning and Land Uses**

**Direction:** North and West

**Current Base Zoning:** "R-6", "RM-4", and "C-2"

**Current Land Uses:** Church, Single-Family Residences, Duplexes, Office

**Direction:** South

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

**Current Land Uses:** Park

**Direction:** East

**Current Base Zoning:** "MF-33" and "O-2"

**Current Land Uses:** School, Offices

**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.

All surrounding properties are located in the Alta Vista Neighborhood Conservation District (NCD-2), which is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and

commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** West French Place

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

**Proposed Changes:** None known

**Thoroughfare:** West Ashby Place

**Existing Character:** Local street; one lane in each direction with a westbound bicycle lane, with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Breeden Street

**Existing Character:** Local street; one lane in each direction, with no sidewalks

**Proposed Changes:** None known

**Public Transit:** VIA bus line 20 operates along West Ashby Place and lines 4 and 204 operate along San Pedro Avenue, each with multiple stops in the immediate vicinity of the subject property

**Traffic Impact:** The Traffic Impact Analysis has been waived for the following reasons: “IDZ” zoning is exempt from TIA requirements.

**Parking Information:** The application refers to a proposed art gallery, bed and breakfast, art school, and residences. The “IDZ” district waives off-street vehicle parking requirements; however, the site plan shows 15 parking spaces on the subject property

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current multi-family zoning; restricting future land uses to those permissible in an “MF-33” zoning district.

### **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 (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 Midtown Neighborhoods Plan and is designated as Public/Institutional in the future land use component of the plan - presumably due the subject property’s former use as a Montessori School. The applicant has requested a plan amendment to Neighborhood Commercial in

order to accommodate the proposed “IDZ” base zoning district with uses in “C-1” and “RM-5”. Staff and Planning Commission recommend approval of the plan amendment request.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Rather, the rezoning may have the effect of spurring redevelopment of a vacant property, thereby mitigating the current adverse impacts on neighboring properties. The subject property area has long been developed with a mix of residential and commercial uses. Although parking is not required in the “IDZ” base zoning district, the applicant has attempted to mitigate concerns relating to inadequate parking by indicating parking spaces on the requisite site plan. While the area is served by multiple public transit lines, staff does encourage the inclusion of parking for residential and commercial projects.

**3. Suitability as Presently Zoned:**

The existing “MF-33” base zoning district could be considered inappropriate for the area because it allows significantly higher density than exists in the surrounding residential neighborhood. The size of the lot could accommodate a maximum of 28 dwelling units under the current zoning district. The requested “IDZ” base zoning district incorporates the type of mixed use development envisioned within the Midtown Neighborhoods Plan.

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

Staff has found no indication of likely adverse effects on the public health, safety or welfare.

**5. Public Policy:**

Should the requested plan amendment be approved, the rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property measures 0.8742 of an acre in size, which is sufficient to accommodate the proposed uses as shown on the “IDZ” site plan.

**7. Other Factors:**

None.