



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-3797  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 8/3/2017  
**Title:** ZONING CASE # Z2017162 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "RM-4 H HE AHOD" Residential Mixed King William Historic Exceptional Airport Hazard Overlay District to "RM-4 CD H HE AHOD" Residential Mixed King William Historic Exceptional Airport Hazard Overlay District with Conditional Use for a Commercial Parking Lot on Lot 8 and the East 4.07 Feet of Lot 7, NCB 934, located at 401 Pereida Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. ZC Minutes, 4. Draft Ordinance.pdf, 5. Ordinance 2017-08-03-0535

Date	Ver.	Action By	Action	Result
8/3/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017162 CD

**SUMMARY:**

**Current Zoning:** "RM-4 H HE AHOD" Residential Mixed King William Historic Exceptional Airport Hazard Overlay District

**Requested Zoning:** "RM-4 CD H HE AHOD" Residential Mixed King William Historic Exceptional Airport Hazard Overlay District with Conditional Use for a Commercial Parking Lot

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 6, 2017

**Case Manager:** Angela Cardona, Planner

**Property Owner:** Jesse J. Sturgeon

**Applicant:** Jesse J. Sturgeon

**Representative:** James McNight (Brown & Ortiz, PC)

**Location:** 401 Pereida Street

**Legal Description:** Lot 8 and the East 4.07 Feet of Lot 7, NCB 934

**Total Acreage:** 0.1996 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** King William Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, Department of Planning and Community Development

**Property Details**

**Property History:** The subject property was annexed in 1905 and is located within the city limits original 36 square miles as recognized in 1938. The property was originally zoned "D" Apartment District then was rezoned to "R-2" Two Residence District by Ordinance 74924, dated December 9, 1999. The current "RM-4" Residential Mixed District converted from the previous "R-2" Two Residence District upon the adoption of the 2001 Universal Development Code. The "Historic Exceptional Landmark (HE) was adopted on October 27, 1988, Ordinance 68210.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Commercial

**Direction:** East

**Current Base Zoning:** RM-4

**Current Land Uses:** Children's Shelter

**Direction:** South

**Current Base Zoning:** RM-4

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** C-3 and C-2

**Current Land Uses:** Parking Lot

**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. The surrounding properties are located in the King William Historic District, which was adopted in 1968. 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.

**Transportation**

**Thoroughfare:** Pereida Street

**Existing Character:** Local Street

**Proposed Changes:** None known

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

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus routes are #8 and #54 and are within walking distance of the subject property. A B-Cycle Station is within walking distance.

**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:** None.

**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 the one-half mile boundary of the SA Tomorrow Rockport Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 Downtown Neighborhood Plan and currently designated as "Residential" in the future land use component of the plan. The requested "RM-4" base zoning district is consistent with the land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request, as the property has been used for public parking.

**3. Suitability as Presently Zoned:**

The current "RM-4" base zoning district is appropriate for and consistent with the surrounding area. The subject property is bounded by commercial uses and is currently filling the need for parking in the area.

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

**6. Size of Tract:**

The subject property measures 0.1996 acres which should reasonably accommodate the uses permitted in “RM-4” Mixed Residential with a Conditional Use for a Parking Lot.

**7. Other Factors:**

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.