



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1171  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 1/18/2018  
**Title:** ZONING CASE # Z2018004 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "R-6 NCD-5 AHOD" Residential Single-Family Beacon Hill Neighborhood Conservation Airport Hazard Overlay District to "R-6 CD NCD-5 AHOD" Residential Single-Family Beacon Hill Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for a Four-Plex on Lot 19 and Lot 20, Block 1, NCB 3102, located at 939 West Elsmere Place. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2018-01-18-0034

Date	Ver.	Action By	Action	Result
1/18/2018	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018004 CD

**SUMMARY:**

**Current Zoning:** "R-6 NCD-5 AHOD" Residential Single-Family Beacon Hill Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD NCD-5 AHOD" Residential Single-Family Beacon Hill Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for a Four-Plex

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Gerald R. Smith and Susan C. Smith

**Applicant:** Gerald R. Smith

**Representative:** Gerald R. Smith

**Location:** 939 West Elsmere Place

**Legal Description:** Lot 19 and Lot 20, Block 1, NCB 3102

**Total Acreage:** 0.1664

**Notices Mailed**

**Owners of Property within 200 feet:** 26

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

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property is located within the Original City Limits of San Antonio and zoned "B" Residence District. The zoning changed to "R-1" Single Family Residence District, established by Ordinance 86704, dated September 25, 1997. The current "R-6" Residential Single-Family District converted from the previous "R-1" base zoning district adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

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

**Direction:** East

**Current Base Zoning:** R-6

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

**Direction:** South

**Current Base Zoning:** R-6

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

**Direction:** West

**Current Base Zoning:** R-6

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

**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:** West Elsmere Place

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are two bus stops (Stop #95827 and Stop #94253) within walking distance. Bus Stop 95827 is closer on Blanco Road and is along Bus Routes 2 and 202. Bus Stop 94253 is on West Hildebrand Avenue and is on the corner of Grant Avenue and West Hildebrand 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:** A Four-Family Dwelling requires a minimum of one and a half (1.5) parking spaces per unit and a maximum of two (2) parking spaces per unit.

**ISSUE:** None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-6” base zoning district allows single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center. The subject property is located within the Fredericksburg Premium Transit Corridor and the San Pedro Premium Transit 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 subject property is located within the Midtown Future Land Use Plan and is currently designated as “Low Density Residential.” The requested “R-6” base zoning district is consistent with the adopted land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. There are some properties in the area that have the “RM-4” zoning which allow up to four units as well. This request maintains the base zoning district.

**3. Suitability as Presently Zoned:**

The existing “R-6” base zoning district is appropriate for the surrounding area. The majority of uses of the surrounding area is single-family residential.

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

Staff has not found any 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.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.

GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.

H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) are available at a variety of price and rent levels.

H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.

H P24: Encourage and incentivize the development of a range of affordable housing options in and near regional centers and transit corridors.

The request to rezone to R-6 with a conditional use for dwelling units is generally consistent with the policies of the Comprehensive Plan. The proposed rezoning would preserve a longstanding small multifamily building. Additionally, the Midtown Neighborhoods Plan identifies the conservation of existing housing stock as one of the neighborhoods highest priorities and specifically supports the continuation of multifamily uses in structures built for such.

The subject property is not located within a regional center as established by the SA Tomorrow Comprehensive Plan, though it is near the Midtown Regional Center and is within the Beacon Hill Neighborhood Conservation District (NCD-5). NCDs are proactive tools to address neighborhood sustainability through compatible infill construction in areas with unique and distinctive characteristics. NCDs are developed in collaboration with the neighborhoods for which they are designated. As the structure was built in 1907 it contributed to establishment of the neighborhood character the NCD aims to conserve.

## **6. Size of Tract:**

The 0.1664 acre site is of sufficient size to accommodate the proposed development. The subject property currently has an existing and vacant structure which will accommodate the four-plex.

## **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.

The subject property has an existing structure that has been a four-plex with an adequate amount of parking. The applicant has stated there will be no new construction since the units are already developed.