



City of San Antonio

Legislation Details (With Text)

File #: 18-1891

Type: Zoning Case

In control: Board of Adjustment

On agenda: 2/19/2018

Title: A-18-035: A request by Patrick Christensen for a special exception from the Form Based Zoning regulations within the T5-1 River North Calibration that limit the maximum number of stories to four to allow a five story multi-family development with a six story parking garage, located at 819 Augusta Street. Staff recommends Approval. (Council District 1)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A-18-035 Attachments

Date	Ver.	Action By	Action	Result
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Case Number: A-18-035

Applicant: Patrick Christensen

Owner: Junior League of San Antonio

Council District: 1

Location: 819 Augusta Street

Legal Lot 6 and the North 14.9 Feet of the West 55.6 Feet of Lot 7,

Description: Block 25, NCB 821 and the West 50 Feet of A8, Block 6, NCB 821 and Lot 7 Except the North 14.9 Feet of the West 112.3 Feet, Block 25, NCB 821 and Lot 5 and the East 3.9 Feet of Lot 4 and the North 14.9 Feet of the East 58.90 Feet of the West 112.30 Feet of Lot 7, Block 25, NCB 821 and Lot A9, Block 6, NCB 821 and the East 83 Feet of Lot A8, Block 6, NCB 821

Zoning: “FBZD T5-1 RIO-2 HE HS AHOD” Form Based Zone River North Calibration River Improvement Overlay Historic Exceptional Historic Significant Airport Hazard Overlay District

Case Manager: Logan Sparrow, Principal Planner

Request

A request for a variance from the Form Based Zoning regulations within the T5-1 River North Calibration that limit the maximum number of stories to four, as described in Section 35-209, Table 209-18A1, to allow a five story multi-family development with a six story parking garage.

Executive Summary

The subject property is located at 819 Augusta Street, northeast of its intersection with McCullough Avenue, and is comprised of the entire block. The applicant is seeking a special exception from the transect pattern limitation that new development shall not exceed four stories in height, to allow for a five story multi-family development with an associated six story, internal parking garage.

The Form Based Zone District is intended to promote specific development patterns within each transect, gradually permitting more intense development near the center of the FBZD area. The applicant states that the additional height is warranted because of the scale of the project; the entire block is proposed to be developed, rather than several smaller-scale projects within the block itself. Lastly, the applicant is working with the Office of Historic Preservation to relocate the existing historic structure on the property. The proposed development has been considered by a Historic and Design Review committee, and the feedback has, thus far, been positive.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“FBZD T5-1 RIO-2 HE HS AHOD” Form Based Zone River North Calibration River Improvement Overlay Historic Exceptional Historic Significant Airport Hazard Overlay District	Vacant, Proposed Two Dwelling Units

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“FBZD T5-1 RIO-2 HS AHOD” Form Based Zone River North Calibration River Improvement Overlay Historic Significant Airport Hazard Overlay District and “FBZD T4-1 RIO-2 HS AHOD” Form Based Zone River North Calibration River Improvement Overlay Historic Significant Airport Hazard Overlay District	Medical Offices
South	“FBZD T5-1 RIO-2 AHOD” Form Based Zone River North Calibration River Improvement Overlay Airport Hazard Overlay District	Restaurants and Parking Lots
East	“FBZD SD RIO-2 HE AHOD” Form Based Zone Specialized District River Improvement Overlay Historic Exceptional Airport Hazard Overlay District	Private School and Football Stadium
West	“FBZD T5-1 RIO-2 HS AHOD” Form Based Zone River North Calibration River Improvement Overlay Historic Significant Airport Hazard Overlay District	Gas Station, Parking Lot, and Apartments

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the Downtown Neighborhood Plan and designated as Mixed Use in the future land use component of the plan. The subject property is located within the boundaries of the Downtown Residents Association. As such, they were notified and asked to comment.

Criteria for Review

According to Section 35-482(h) of the UDC, in order for a special exception to be granted, the Board of Adjustment must find that the request meets each of the five following conditions:

A. The special exception will be in harmony with the spirit and purpose of the chapter.

The spirit of the ordinance is represented by design requirements intended to provide for consistent development within the Form Based Zoning area, and to discourage parking as a primary use within the zoning area. The “T5-1” River North Calibration transect limits the maximum number of stories to four. Generally, development within the transect zones occurs on a lot by lot basis. It is unique for a project to encompass the entire block. As the proposed six-story parking garage is surrounded by the proposed five story multi-family development, and because the scale of the project exceeds the typical development within this FBZD area, staff finds that permitting the requested heights are warranted.

B. The public welfare and convenience will be substantially served.

The public welfare is served by providing for design regulations that mirror the scale of new development within the FBZD area. The applicant is not seeking variance to the required design aspects listed in the code, only seeking the additional height. Because there are no properties directly abutting this project, staff finds that the request for additional height observes the public welfare, especially considering that the project conceals the tallest element, the parking garage, of the project.

C. The neighboring property will not be substantially injured by such proposed use.

Because the entire block is included within the project area, staff finds that the request for additional height is warranted and will not harm neighboring properties.

D. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.

The proposed development does not directly abut any other properties. Any nearby uses will be buffered by at least the street right of way. The applicant is not seeking any variances from the required design criteria within the FBZD zone, only seeking the additional height.

E. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district.

The subject property is located within the “FBZD” Form based Zone District. The applicant is merely seeking additional building height, and is not seeking to vary from the design requirements of the code.

Alternatives to Applicant’s Request

The alternative to the applicant’s request is to conform to the height limitations set forth in the Form Based Zoning District.

Staff Recommendation

Staff recommends **APPROVAL of A-18-035** because of the following reasons:

1. The scale of the project far exceeds the typical development within the FBZD area, and;
2. There are no abutting properties to be harmed by the request.