



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-3262  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 5/15/2018  
**Title:** ZONING CASE # Z2018174 (Council District 2): A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Duplex to "O-2" High-Rise Office Airport Hazard Overlay District on 5.84 acres out of NCB 12831 and NCB 12836, located at 1314 Hines Avenue. Staff recommends Denial, with an Alternate Recommendation. (Associated Plan Amendment 18053)  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Location Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018174  
(Associated Plan Amendment 18053)

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Duplex

**Requested Zoning:** "O-2" High-Rise Office Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 15, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Education Service Center, Region 20

**Applicant:** Eddy Hernandez Perez, Walsh Gallegos Trevino Russo & Kyle, P.C.

**Representative:** Eddy Hernandez Perez, Walsh Gallegos Trevino Russo & Kyle, P.C.

**Location:** 1314 Hines Avenue

**Legal Description:** 5.84 acres out of NCB 12831 and NCB 12836

**Total Acreage:** 5.84

**Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association

**Applicable Agencies:** Fort Sam Houston; Planning Department; Texas Department of Transportation

**Property Details**

**Property History:** The subject property was rezoned from “I-1” General Industrial District to “R-6” Residential Single-Family District and “R-6 CD” Residential Single-Family District with a Conditional Use for a Duplex by Ordinance 2008-10-16-0955, dated October 16, 2008.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-6” and “R-6 CD”

**Current Land Uses:** Single-Family Residences and Duplexes

**Direction:** East

**Current Base Zoning:** “O-2” and “M-R”

**Current Land Uses:** Fort Sam Houston and Educational Institution

**Direction:** South

**Current Base Zoning:** “R-6 CD” and “C-2P S”

**Current Land Uses:** Duplexes and Hotel

**Direction:** West

**Current Base Zoning:** “R-6” and “R-6 CD”

**Current Land Uses:** Single-Family Residences and Duplexes

**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:** Hines Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served: 21**

**Thoroughfare:** IH-35

**Existing Character:** Freeway

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 21

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. The traffic generated by the proposed development does exceed the threshold requirements.

**Parking Information:**

There is no minimum parking requirement for a noncommercial parking lot.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “R-6” and “R-6 CD”. “R-6” allows for uses such as single-family dwellings 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. “R-6 CD” allows for all the uses within its base zoning district, but also the use of a duplex.

**FISCAL IMPACT:**

None.

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

The property is located on the border of the Fort Sam Houston Regional Center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with Alternate recommendation of “O-1.5” Mid-Rise Office District.

**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 Government Hill Neighborhood Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “O-2” base zoning is not compatible with the future land use designation. The applicant is requesting a Plan Amendment from “Low Density Residential” to “Public Institutional” to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval of the Plan Amendment.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request to “O-2” is not an appropriate buffer between the residential neighborhoods and surrounding higher intensity development. An alternate recommendation of “O-1.5” will establish an appropriate buffer and place a maximum height of sixty (60) feet or five (5) stories on all building developed on the property.

### **3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District and “R-6 CD” Residential Single-Family District with Conditional Use for a Duplex are appropriate zonings for the property and surrounding area.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare.

### **5. Public Policy:**

The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the Government Hill Neighborhood Plan

Government Hill Neighborhood Plan Relevant Goals and Objectives:

- To encourage and support any revitalization and redevelopment efforts consistent with this plan.
- Improve neighborhood open spaces and community facilities and make the neighborhood pedestrian friendly.

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 P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
- H P28: Explore commercial and industrial areas in the core of the city for conversion to residential or mixed-use

The requested O-2 zoning is not consistent with establishing buffers between residential neighborhoods and surrounding higher intensity development, in that it would encourage commercial/parking uses closer to existing residential areas than is currently supported and currently exists. North of Carson the requested plan amendment and rezoning would be appropriate, in that the current use is already surface parking and in that O-2 zoning in this area would accommodate the parking and office building square footage if either were more vertically oriented. This would be more consistent with the comprehensive plan than replacing land currently available and designated for housing in a residential area with surface parking.

The request to for plan amendment and rezoning north of Carson and east of Hines is generally consistent with the policies of the Comprehensive Plan. The request for rezoning south of Carson and west of Hines is not generally consistent with the policies of the Comprehensive Plan.

Rather than encroachment into the neighborhood, the applicant should consider construction of a vertically integrated parking structure and office on the tract north of Carson to fulfill the additional parking and office space needs. As a second, less preferable alternative, it is recommended that the O-2 zoning for the portion south of Carson and west of Hines be denied in favor of a less intense zoning.

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

The subject property is 5.84 acres, which would adequately support a noncommercial parking lot and a single story office building.

**7. Other Factors:**

The applicant is agreeable with staff's alternate recommendation and will be amending at the meeting.