



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-4445

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 6/4/2019

**Title:** ZONING CASE Z-2019-10700117 HL (Council District 2): A request for a change in zoning from "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Bar and/or Tavern without cover charge 3 or more days per week to "IDZ-2 HL AHOD" Medium Intensity Infill Development Zone Historic Landmark Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Bar and/or Tavern without cover charge 3 or more days per week on the north 45-feet of Lot 27, Block 20, NCB 617, located at 419 South Hackberry Street. Staff recommends Approval. (Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. 01 OHP Memo 419 S Hackberry FINAL, 3. 02 20190417\_Commission Action Letter, 4. 03 419 S Hackberry HDRC Published

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700117 HL

**SUMMARY:**

**Current Zoning:** "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Bar and/or Tavern without cover charge 3 or more days per week

**Requested Zoning:** "IDZ-2 HL AHOD" Medium Intensity Infill Development Zone Historic Landmark Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Bar and/or Tavern without cover charge 3 or more days per week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 4, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Michael & Angela Perez

**Applicant:** Michael & Angela Perez

**Representative:** Michael & Angela Perez

**Location:** 419 South Hackberry Street

**Legal Description:** 0.478 acres out of NCB 617

**Total Acreage:** 0.478

**Notices Mailed**

**Owners of Property within 200 feet:** 38

**Registered Neighborhood Associations within 200 feet:** Alamodome Gardens Neighborhood Association, Denver Heights Neighborhood Association

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The subject properties were included in the original 36 square miles of the City of San Antonio and were zoned "R-2" Residential District by Ordinance 79329, dated December 16, 1993. The property converted to the current "RM-4" with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001. The property was rezoned from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Bar and/or Tavern without cover charge 3 or more days per week.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Residential

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Bar/Restaurant

**Direction:** West

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

**Current Land Uses:** Residential

**Overlay and Special District Information:**

"AHOD"

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.

"HL"

A number of surrounding properties carry the "HS" Historic Significant landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. 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:** South Hackberry Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

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

Routes Served: 46 and 246.

**Thoroughfare:** Dashiell Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes Served: 46 and 246.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** This case was previously approved and Parking for IDZ-2 is reduced by 50%.

Additionally, Restaurant/Alcohol requires: 1 per 100 sf GFA. The applicant is requesting a historical overlay which does not affect parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "IDZ-2 AHOD."

**FISCAL IMPACT:**

None.

### **Proximity to Regional Center/Premium Transit Corridor**

The subject property is located within ½ a mile of the Downtown Regional Center and within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 in the Downtown Neighborhood Plan. A finding of consistency is not required for application of a historical overlay.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “IDZ-2” neighborhood commercial infill development is an appropriate zoning for the property and surrounding area. The proposed rezoning simply adds the Historic Landmark Overlay.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request does not appear to conflict with the land use goals and strategies of the Downtown Neighborhood Plan.

Downtown Neighborhood Plan Goals:

- Encourage the development of a grocery store and other neighborhood businesses within walking distance of the area.
- Develop and rehabilitate housing, parks, and businesses in existing neighborhoods.
- Enhance the desirability of east neighborhoods as a place to live by providing incentives for housing development and rehabilitation, improving parks, developing neighborhood businesses, enforcing codes related to property neglect and marketing the area.
- Ensure neighborhood development brings jobs for local residents.

**6. Size of Tract:**

The subject property is 0.478 acres, which would adequately support mixed use infill development.

**7. Other Factors:**

The request for landmark designation was initiated by the owner.

On April 17, 2019, the Historic and Design Review Commission (HDRC) approved a Finding of Historic Significance, identifying the property as historically significant based on criteria listed in Section 35-607 (b) of the Unified Development Code. The criteria identified as being applicable to the subject property are specified below.

HDRC concurred with the applicant that 419 S Hackberry met UDC criterion [35-607(b) 6], [35-607(b)7], [35-607(b)8], [35-607(b)12], and [35-607(b)13] for a finding of historic significance in the process of seeking designation as a local historic landmark. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 419 S Hackberry meets five.

**6. Its historical, architectural or cultural character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures;** as an example of ice houses found throughout the city starting in the 1920s.

**7. Its unique location or singular physical characteristics that make it an established or familiar**

**visual feature;** the structure is located on a prominent corner at the intersection of S Hackberry and Dashiell.

**8. Its historical, architectural, or cultural integrity of location, design, materials, and workmanship;** the structure has occupied its corner since c. 1927.

**12. It is an important example of a particular architectural type or specimen;** as an example of ice houses found throughout the city starting in the 1920s.

**13. It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic or cultural motif;** the structure contributes to the story of the mixed residential and commercial corridor that once existed along S Hackberry and serves as evidence of a walkable neighborhood that gave residents quick access to everyday goods and services.