



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8024  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 11/5/2019  
**Title:** ZONING CASE Z-2019-10700248 (Council District 1): A request for a change in zoning from "C-3NA NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District to "R-3 NCD-5 AHOD" Residential Single-Family Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District on North 37.5 Feet of South 75 Feet of Lot 1-4, Block 5, NCB 1783, located at 1019 Capitol Avenue. Staff recommends Approval. (Michael Pepe, Planner, 210-207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)  
**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:** 1

**SUBJECT:**  
Zoning Case Z-2019-10700248

**SUMMARY:**  
**Current Zoning:** "C-3NA NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "R-3 NCD-5 AHOD" Single-Family Residential Beacon Hill Neighborhood Conservation Airport Hazard Overlay District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** November 5, 2019

**Case Manager:** Michael Pepe, Planner

**Property Owner:** 1019 Capitol Land Trust

**Applicant:** Alicia Castleman

**Representative:** Alicia Castleman

**Location:** 1019 Capitol Avenue

**Legal Description:** North 37.5 Feet of South 75 Feet of Lot 1-4, Block 5, NCB 1783

**Total Acreage:** 0.096

**Notices Mailed**

**Owners of Property within 200 feet:** 18

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

**Applicable Agencies:** Parks Department, Planning Department

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "J" First Manufacturing District. The property was rezoned by Ordinance 86704, dated September 25, 1997 from "J" First Manufacturing District to "B-3 NA" Business Non Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-3 NA" Business Non Alcoholic Sales District converted to the current "C-3 NA" General Commercial Non Alcoholic Sales District.

**Topography:** A large portion of the property is located within the 100 year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3NA"

**Current Land Uses:** Single Family Dwelling

**Direction:** South

**Current Base Zoning:** "C-3NA"

**Current Land Uses:** Single Family Dwelling

**Direction:** East

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

**Current Land Uses:** Single Family Dwelling

**Direction:** West

**Current Base Zoning:** "I-1", UZROW

**Current Land Uses:** Warehousing, Railroad

**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.

"NCD"

The Beacon Hill Neighborhood Conservation District (NCD-5) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines.

These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** Capitol

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 2, 202

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a single residential dwelling is 1 space per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The present zoning district designation of “C-3 NA” General Commercial Non Alcoholic Sales Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

**Proposed:** The proposed “R-3” Single-Family Residential District permits a Single-family dwelling with a minimum lot size of 3,000 square feet and a minimum lot width of 20 feet, designed to provide options for developing dwelling units for specialized housing markets such as affordable housing, starter homes, and empty nester homes.

### **FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center but located within the 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 within the Midtown Neighborhoods Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-3” base zoning district is consistent with the future land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The intended downzoning from “C-3NA” is in the spirit of the plan’s goals for home rehabilitation and neighborhood cohesion.

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

The current “C-3 NA” General Commercial Non Alcoholic Sales District is not an appropriate zoning for the property and surrounding area. The intensity of possible land uses would have adverse effects on neighboring residential properties, and the commercial designation is not appropriate for the property’s use as a home and a small single lot. The proposed “R-3” Residential Single-Family is a more appropriate zoning for the surrounding area since the use itself will remain a single-family dwelling without adding density to the area and will reduce the threat of intense uses on this site.

## **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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Midtown Neighborhoods Plan:

Land Use Classifications Description: Low-Density Residential

Low-Density Residential uses include single-family houses on individual lots. Low-Density Residential uses also can include a limited number of duplexes and granny flats or garage apartments. For example, a single-family house with a garage apartment is allowed under this category. A duplex also is acceptable. However, a duplex and a granny flat on one lot is not considered to be a Low-Density Residential use.

Recommended development densities in Low Density Residential areas should not exceed 9 dwelling units per acre.

Objective 2.2: Housing Character: Maintain the historic character of the neighborhoods’ housing while building on the increased demand for area homes to attract reinvestment by new families.

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

The subject property is 0.096 acres, which reasonably accommodates a single-family dwelling use.

## **7. Other Factors:**

The applicant is rezoning to bring a single-family home into compliance. The home is currently built and is not intended to be demolished, as it is currently occupied as a home.