



City of San Antonio

Legislation Details (With Text)

File #: 21-1297
Type: Zoning Case
In control: Zoning Commission
On agenda: 2/2/2021
Title: ZONING CASE Z-2019-10700295-B (Council District 1): A request for a change in zoning from "RM-4 S AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Specific Use Authorization for a Bed and Breakfast to "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Two (2) Dwelling Units on the east 35.62 feet of Lot 2 and west 31.05 feet of Lot 3, Block 15, NCB 1837, located at 128 West Mistletoe Avenue. Staff recommends Approval. (Juanita Romero, Senior Planner, (210) 207-7232, Juanita.Romero@sanantonio.gov, Development Services Department)
Sponsors:
Indexes:
Code sections:
Attachments: 1. Map, 2. Original Application, 3. Ordinance Z-2019-10700295, 4. Resolution

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-2019-10700295-B

SUMMARY:
Current Zoning: "RM-4 S AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Specific Use Authorization for a Bed and Breakfast

Requested Zoning: "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Two (2) Dwelling Units

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: February 2, 2021

Case Manager: Juanita Romero, Senior Planner

Property Owner: Bradley S. Carson and Michelle T. Carson

Applicant: City of San Antonio

Representative: City of San Antonio

Location: 128 West Mistletoe Avenue

Legal Description: East 35.62 feet of Lot 2 and west 31.05 feet of Lot 3, BLK 15, NCB 1837

Total Acreage: 0.2067

Notices Mailed

Owners of Property within 200 feet: 27

Registered Neighborhood Associations within 200 feet: Monte Vista Historical Association

Applicable Agencies: None.

Property Details

Property History: The property is part of the original 36 Square Miles of San Antonio and was originally zoned “B” Residence District. The property was rezoned from “B” Residence District to “R-2 CC” Two Family District with City Council Approval for a Bed and Breakfast by Ordinance 74084, on August 8, 1991. The subject property converted from “R-2 CC” Two Family District to “RM-4 S” Residential Mixed District with a Specific Use Authorization for a Bed and Breakfast with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “R-4” and “O-1” and “O-1 CD”

Current Land Uses: Single Family Dwelling, Offices and Retail

Direction: East

Current Base Zoning: “R-4 CD”

Current Land Uses: Single Family Dwelling

Direction: West

Current Base Zoning: “R-4”

Current Land Uses: Single Family Dwelling

Direction: South

Current Base Zoning: “R-4” and “MF-33”

Current Land Uses: Single Family Dwelling and Multi-Family Dwellings

Overlay and Special District Information:

“H”

The surrounding properties are located in the Monte Vista Historic District, which was adopted in 1975. Historic districts do not regulate use of the property but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. 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.

"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.

Transportation

Thoroughfare: West Mistletoe Avenue

Existing Character: Local

Proposed Changes: None Known

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

Route Served: 4

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-family dwelling is 1 space per unit.

ISSUE:

None.

ALTERNATIVES:

Current: The present zoning district designation of "RM-4" Residential Mixed District is Designed to provide areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

Proposed: The proposed zoning districts designation of "R-4" are designed to allow a Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The Conditional Use would allow two (2) units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is not part of a regional center or 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 within the Monte Vista Neighborhood Plan which is not a land use consistency plan, however, it may be used as a guide in evaluating rezoning. As such, the requested “R-4” base zoning district is consistent with the overall goals of the plan to align the zoning with current use.

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.

3. Suitability as Presently Zoned:

The current zoning resulted from a zoning conversion with the adoption of the 2001 Unified Development Code. The proposed “R-4 CD” Single-Family Residential District is a suitable zoning district for the property as it maintains the base and allows one (1) additional dwelling unit, which presently exists on the property.

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 goals, principles and objectives of the Monte Vista Neighborhood Plan.

6. Size of Tract:

The subject property is 0.2067 acres, which reasonably accommodates the two (2) residential units.

7. Other Factors:

This rezoning request is a result of a City Council Resolution initiated by Council District 1 on November 9, 2017. Action on December 3, 2020 by City Council to rezone the Monte Vista South area as part of a large area rezoning also resulted in 4 properties to be reviewed, including this one.

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.