



# City of San Antonio

## Agenda Memorandum

**File Number:**18-5424

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**Agenda Item Number:** 4.

**Agenda Date:** 10/2/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018312

**SUMMARY:**

**Current Zoning:** "O-2 NCD-9 AHOD" High-Rise Office Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "R-4 NCD-9 AHOD" Residential Single-Family Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 2, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** MP2 Urban Development, LLC

**Applicant:** Michael A. Perez

**Location:** 817 East Josephine Street

**Legal Description:** East 43 feet of Lot 29, NCB 6300

**Total Acreage:** 0.1017

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Downtown Residents Association

**Applicable Agencies:** Fort Sam; Planning Department

## **Property Details**

**Property History:** The subject property was zoned “E” Apartment District by Ordinance OI-191, dated November 9, 1938. The property converted from “E” Apartment District to the current “O-2” High-Rise Office District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

## **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “O-2”

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

**Direction:** East

**Current Base Zoning:** “O-2”

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

**Direction:** South

**Current Base Zoning:** “MF-18” and “IDZ”

**Current Land Uses:** Apartments and Townhomes

**Direction:** West

**Current Base Zoning:** “O-2”

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

## **Overlay and Special District Information:**

"NCD"

The Westfort Neighborhood Conservation District (NCD-9) 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.

“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:** East Josephine

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 20

**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 requirements for a single family dwelling is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “O-2”. “O-2” allows for uses such as offices, parks, and schools.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center and half a mile of 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 Westfort Neighborhood Plan and is currently designated as “Urban Single-Family Residential” in the future land use component of the plan. The requested “R-4” base zoning is compatible with the future land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “O-2” High-Rise Office District is not an appropriate zoning for the property and surrounding area. The requested rezoning is more consistent with the surrounding residential uses.

**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 subject property and adjacent properties’ adopted future land use is Urban Single Family Residential, but is zoned O-2. The adopted future land use of properties facing the subject property across Josephine Street is Low Density Mixed Use. The site is located within the Midtown Area Regional Center.

The Westfort Alliance Neighborhood Plan (2003) refers to the R-4 zone as a “related zoning district” for Urban Single Family Residential, and recommends residential densities of up to 10 units per acre. The requested zoning is consistent with the adopted future land use plan.

Relevant Goals and Policies of the Comprehensive Plan may include:

- H P30: Ensure infill development is compatible with existing neighborhoods.
- H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Westfort Neighborhood Plan.

**Westfort Neighborhood Relevant Goals and Objectives:**

- To enhance and improve the physical appearance and function of the neighborhood and integrate with surrounding areas.
- To preserve and enhance the residential character of the neighborhood, while recognizing the diverse, multi-cultural nature of the residents and the architectural quality of the housing stock.
- To promulgate land use and zoning policy for the plan area which both preserves the character of the neighborhood, promotes the economic development of the plan area and contiguous areas and is consistent with city programs and goals.

**6. Size of Tract:**

The subject property is 0.1017 acres, which would adequately support a single-family dwelling.

**7. Other Factors:**

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request.