



# City of San Antonio

## Agenda Memorandum

**File Number:**19-1329

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**Agenda Item Number:** Z-10.

**Agenda Date:** 1/17/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018-900037 CD

**SUMMARY:**

**Current Zoning:** "R-6 NCD-5 AHOD" Residential Single-Family Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD NCD-5 AHOD" Residential Single-Family Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 18, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Uno Capital / Alejandro Tolentino

**Applicant:** Rene Morales

**Representative:** Rene Morales

**Location:** 119 Cincinnati Avenue

**Legal Description:** Lot 26, Block 3, NCB 3032

**Total Acreage:** 0.1722

**Notices Mailed**

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

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

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was rezoned from “B” residence district to “R-1” Single Family Residence District by Ordinance 86704, dated September 25, 1997. The property converted from “R-1” Single-Family Residence District to the current “R-6” Residential Single-Family 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:** “R-6”

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

**Direction:** East

**Current Base Zoning:** “R-6”

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

**Direction:** South

**Current Base Zoning:** “R-6”

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

**Direction:** West

**Current Base Zoning:** “R-6”

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

### **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 Area 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:** Cincinnati Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 95, 96, 97, 289, and 296

**Thoroughfare:** Fredericksburg Road

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** Fredericksburg Road 2017 Project

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 95, 96, 97, 289, and 296

**Traffic Impact:** A Traffic Impact Analysis (TIA) may be required.

**Parking Information:**

The minimum parking requirements for three (3) residential dwellings is 1.5 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-6”. These districts provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**FISCAL IMPACT:**

None.

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

The subject property is located within half mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (8-3) 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 “Medium Density Residential” in the future land use component of the plan. The requested “R-6 CD” base zoning is consistent with the future land use designation.

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

Although staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request, the request introduces additional density into the area. The map indicates that this is a primarily single-family neighborhood with one unit homes. The requested “R-6 CD” allows for residential uses, but increases density. Staff does not support introducing increased density mid-block within a single-family zoned area.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The land use of “Medium Density Residential” conflicts with the current “R-6” zoning in the area.

**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 developer of this parcel would like to create three residential units on the property. At the current zoning of “R-6,” only single family developments are permitted. The proposed zoning change to “R-6 CD” would permit a maximum of 3 residential units on the parcel, and would comply with the design standards of the Beacon Hill NCD-5 overlay.

This parcel, located within the Beacon Hill Neighborhood, has a frontage width of 50 feet, and an area of approximately 8,000 feet. The Beacon Hill Neighborhood Conservation Plan from 2005 states that “the minimum width for any re-platted parcel for multi-family (3 units or greater) use shall be fifty (50) feet.” By that standard, the parcel meets the requirements of the Beacon Hill NCD for a 3-unit development.

This parcel is within the Near North Sub-Area Plan, and will undergo Sub-Area Planning in Phase 4 of the SA Tomorrow Sub-Area Process. In the Midtown Neighborhoods Plan from 2000, the area is designated as a future land use of “Medium Density Residential” - which as stated in the plan can “include three-and four-unit family dwellings and townhouses.” Surrounding this parcel, there is commercial activity (C3-NA) on either side of the block at Blanco Rd and Grant Ave, MF-33 zoning also on Grant Ave, and an IDZ parcel. The parcel is also located within very short walking distance to several VIA Bus Routes along Fredericksburg Rd and Blanco Rd.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- GCF Goal 1: Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.
- GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
- GCF Goal 5: Growth and city form support improved livability in existing and future 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.
- H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

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

- Goal 2: Housing - Preserve and revitalize the neighborhoods’ unique mix of quality housing.
- 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.
- Objective 2.3: Home Improvement and Maintenance - Improve the condition, appearance and maintenance of the neighborhoods’ housing and yards.

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

The subject property is 0.1722 acres, which would adequately support three (3) residential dwellings.

## **7. Other Factors:**

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.