City of San Antonio

Agenda Memorandum

File Number:19-8755

Agenda Item Number: 13.

Agenda Date: 12/3/2019

In Control: Zoning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:
Zoning Case Z-2019-10700283 CD

SUMMARY:
Current Zoning: "RM-4 H AHOD" Residential Mixed Dignowity Hill Historic Airport Hazard Overlay District

Requested Zoning: "RM-4 CD H AHOD" Residential Mixed Dignowity Hill Historic Airport Hazard Overlay District with a Conditional Use for a Professional Office

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: December 3, 2019

Case Manager: Mercedes Rivas, Senior Planner

Property Owner: Felipe De Jesus Navarro

Applicant: Jesus Enrique Avila Barba

Representative: Jesus Enrique Avila Barba

Location: 1512 East Houston Street

Legal Description: Lot 3, Block 15A, NCB 576

Total Acreage: 0.1509

Notices Mailed
Owners of Property within 200 feet: 34
Registered Neighborhood Associations within 200 feet: Dignowity Hill Neighborhood Association

Applicable Agencies: Fort Sam Houston

Property Details

Property History: The property is part of the original 36 Square Miles of San Antonio and was originally zoned “R-2” Two Family Residence District. The subject property converted from “R-2” to “RM-4” Residential Mixed District 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: “I-1”
Current Land Uses: Shuttle Service

Direction: East
Current Base Zoning: “RM-4”
Current Land Uses: Vacant Lot

Direction: South
Current Base Zoning: “RM-4”
Current Land Uses: Single-Family Residences

Direction: West
Current Base Zoning: “RM-4”
Current Land Uses: Bar

Overlay and Special District Information:

The surrounding properties are located in the Dignowity Hill Historic District, which was adopted in December 8, 1983. 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: East Houston Street
Existing Character: Secondary Arterial Type B
Proposed Changes: None

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

Routes Serviced: 22 and 24

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

Parking Information: The parking requirements for a single family dwelling are 1 space per unit. The minimum parking requirements for a Professional Office is 1 parking space per 300 sf of gross floor area.

ISSUE:
None.

ALTERNATIVES:
Current: The present zoning district designation of "RM-4" Residential Mixed 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 district designation of "RM-4 CD" Residential Mixed 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. The "CD" would allow a Professional Office in addition to "RM-4."

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The property is not part of a Regional Center and is 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 Dignowity Hill Neighborhood Plan/ Eastside Reinvestment Plan and is currently designated as "Low Density Mixed Use" in the future land use component of the plan. The requested "RM-4" 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 base zoning of "RM-4" will remain the same.

3. Suitability as Presently Zoned:
The current "RM-4" Residential Mixed District is an appropriate zoning for the property. The proposed "RM-4 CD" Residential Mixed District use maintains the base zoning district and is an appropriate zoning for this property as it is directly adjacent to other "RM-4" zoned properties The Conditional Use allows consideration of a Professional Office with any necessary conditions. (i.e. fencing, buffers, hours of operation, temporary sign restrictions, etc.)

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 Dignowity Hill Neighborhood Plan/ Eastside Reinvestment Plan:

- Goal 12: Expand neighborhood businesses that are convenient and safe for residents and visitors to easily access and enjoy
- Goal 22: Ensure reliable and timely implementation of the plan by prioritizing objectives and routinely monitoring plan progress

6. Size of Tract:
The subject property is 0.1509 acres, which could reasonably accommodate residential uses and the proposed Conditional Use of Professional Office.

7. Other Factors:
This property is located within the Dignowity Hill Historic District. Any future exterior modifications or new construction will require written approval from the Office of Historic Preservation. Approval of a zoning change does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no approvals have been obtained with Office of Historic Preservation for any work.

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.

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