



City of San Antonio

Agenda Memorandum

Agenda Date: August 18, 2022

In Control: City Council Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2022-10700152

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: July 19, 2022

Case Manager: Kellye Sanders, Senior Planner

Property Owner: Stephanie Hagee

Applicant: Iconic Development

Representative: Iconic Development

Location: 338 Nika Street

Legal Description: Lot 2, NCB 6300

Total Acreage: 0.1301

Notices Mailed**Owners of Property within 200 feet:** 19**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance**Applicable Agencies:** Fort Sam Houston, Planning Department**Property Details**

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned "E" Office District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "E" Office District was converted to the current "O-2" High-Rise Office District.

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

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** MR**Current Land Uses:** Fort Sam Houston**Direction:** South**Current Base Zoning:** O-2**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** O-2**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** O-2**Current Land Uses:** Residential Dwelling**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

The Westfort Alliance 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.

Special District Information: N/A.

Transportation

Thoroughfare: Nika Street

Existing Character: Local

Proposed Changes: None Known

Public Transit: There is public transit within walking distance.

Routes Served: 20

Traffic Impact: The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is not required.

Parking Information: The minimum parking requirement for Dwelling – 1 Family (Detached) is 1 per unit. The maximum parking limit for Dwelling – 1 Family (Detached) is Not Applicable.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “O-2” High-Rise Office District provides for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned “NC”, “C-1” or “O-1” shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

Proposed Zoning: “R-4” Residential Single-Family District allows single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is within the Midtown Regional Center and within ½ a mile of the New Braunfels Ave Premium Transit Corridor and Austin Highway Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the Midtown Area Regional Center Plan and is currently designated as "Urban Low Density Residential" in the future land use

component of the plan. The requested "R-4" Residential Single-Family 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 proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing "O-2" High-Rise Office District is not an appropriate zoning for the property and surrounding area. It appears that the area could benefit from a large area rezoning as most of the properties are developed with residential uses. The proposed "R-4" Residential Single-Family constitutes a downzoning of the property and is appropriate for 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 request does not appear to conflict with any public policy objectives of the Midtown Area Regional Center Plan.

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

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 Policy 10- 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.

Relevant Goals, Recommendations and Strategies of the Midtown Area Regional Center Plan may include:

Goal 5: Broaden Housing Choices

- Rehabilitate or redevelop housing that is in poor condition.

6. **Size of Tract:** The 0.13 acre site is of sufficient size to accommodate the proposed residential development.
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. The Military has indicated that there are no objections to this request.

The applicant is rezoning to remodel the existing single-family unit on the property.