



City of San Antonio

Agenda Memorandum

Agenda Date: November 2, 2021

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2021-10700244 CD

SUMMARY:

Current Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "R-6 UC-4 AHOD" Residential Single-Family North St. Mary's Street Urban Corridor Airport Hazard Overlay District

Requested Zoning: "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units and "R-5 CD UC-4 AHOD" Residential Single-Family North St. Mary's Street Urban Corridor Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 2, 2021. This case was continued from October 19, 2021.

Case Manager: Rebecca Rodriguez, Planner

Property Owner: CREH Series LLC

Applicant: John Cortez

Representative: John Cortez

Location: 221 Rose Lane

Legal Description: the South 100 feet of Lot A1, NCB 1719

Total Acreage: 0.128

Notices Mailed

Owners of Property within 200 feet: 39

Registered Neighborhood Associations within 200 feet: The Tobin Hill Community Association

Applicable Agencies: Fort Sam Houston

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned "B" Residence District. The property was rezoned by Ordinance 83331, dated December 14, 1995, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family 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: RM-4

Current Land Uses: Duplex

Direction: South

Current Base Zoning: C-3

Current Land Uses: Professional Office

Direction: East

Current Base Zoning: R-6

Current Land Uses: Single-Family Residence

Direction: West

Current Base Zoning: R-6

Current Land Uses: Single-Family Residence

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 "UC-4" North St. Mary's Street Urban Corridor overlay was established because there are

many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of “UC” serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

Special District Information:

None.

Transportation

Thoroughfare: Rose Lane

Existing Character: Local

Proposed Changes: None

Thoroughfare: North St. Mary’s Street

Existing Character: Collector

Proposed Changes: North St. Mary's (East Mistletoe Ave to West Josephine) -- Improve N. St. Mary's from Mistletoe to Josephine including sidewalk connectivity, intersection improvements and signal enhancements as appropriate and within available funding.

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

Route Served: 8

Traffic Impact: ROW dedication and improvement may be required along Rose Lane.

Parking Information: The minimum parking requirement for two (2) family dwellings is one (1) per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: “R-5” Residential Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

The “CD” Conditional Use will allow for two (2) dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is within the Midtown Regional Center and within the 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 approval criteria below.

- 1. Consistency:** The subject property is located within the Midtown Area Regional Center and is currently designated as Urban Low Density Residential in the future land use component of the plan. The requested “R-5” 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. Development of properties in the area are “RM-4” Residential Mixed and “R-6” Residential Single-Family with the exception of the “C-3” General Commercial across the street from the subject property.
- 3. Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-5 CD” Residential Single-Family District with a Conditional Use for two (2) dwelling units is also appropriate as there are various two-unit developments in the surrounding area including the property directly to the north. Multiple properties within a reasonable distance of the subject site have a conditional use to allow for two (2) units. There is also “IDZ-1” Limited Density Infill Development Zone with permitted uses for two (2) units and “RM-4” Residential Mixed District zoning and uses 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 request does not appear to conflict with public policy objectives. The proposed zoning change will meet the following principles of the Midtown Area Regional Center Plan:

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

Land Use Recommendation #2: Encourage zoning that supports the maintenance of neighborhood character while encouraging affordable housing, housing for all stages of life, and housing that is accessible to people with mobility impairments.

Land Use Recommendation #3: Discourage incremental rezoning (both up-zoning and down-zoning) in Midtown neighborhood areas.

Land Use Strategy 3.1: The conditional rezoning process should typically be used in residential neighborhoods instead of base zone rezoning, in order to provide relatively certain outcomes for new development and adaptive reuse of existing buildings.

Housing Recommendation #1: Ensure that zoning supports a context sensitive supply of diverse housing to support Midtown's expected household growth.

Housing Recommendation #3: Maintain affordability and a diversity of housing options by accommodating additional housing in neighborhoods and transition areas through context sensitive design and small scale, infill housing.

6. **Size of Tract:** The 0.128-acre site is of sufficient size to reasonably accommodate the proposed residential development and the two (2) proposed units.
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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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 applicant is rezoning to develop two (2) residential units.