



# City of San Antonio

## Legislation Details (With Text)

**File #:** 13-1046

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/5/2013

**Title:** ZONING CASE # Z2014032 CD (District 1): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 CD AHOD" Residential Single-Family District with a Conditional Use for Two Dwelling Units on Lots 26 and 27, Block 6, NCB 7293 located at 401 Dora Street. Staff recommends approval. Zoning Commission recommendation pending the December 3, 2013 public hearing.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-032 CD, 2. Z2014032 CD, 3. Z2014032 CD\_Site Plan, 4. Ordinance 2013-12-05-0880

Date	Ver.	Action By	Action	Result
12/5/2013	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 1

**SUBJECT:**

Zoning Case Z2014032 CD

**SUMMARY:**

**Current Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-5 CD AHOD" Residential Single-Family District with a Conditional Use for Two Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 3, 2013

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Flower Holdings, SLLC-Series B (by Gary Black, Member and Managing Agent)

**Applicant:** Robert Perez

**Representative:** Robert Perez

**Location:** 401 Dora Street

**Legal Description:** Lots 26 and 27, Block 6, NCB 7293

**Total Acreage:** 0.1148

**Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** North Central Community Plan - 46

**Applicable Agencies:** City of San Antonio Parks and Recreation Department

**Property Details**

**Property History:** The subject property was annexed in May of 1940 and was originally zoned “B” Residence District. In a 1975 City-initiated large-area case, the property was rezoned to “R-5” Single Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “R-5” Residential Single-Family District. There is an existing residential structure on the subject property that measures approximately 988 square feet and was constructed in 1940. The property consists of two platted lots..

**Topography:** The property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

**Adjacent Zoning and Land Uses**

**Direction:** North, West, South, and East

**Current Base Zoning:** “R-4” and “R-5”

**Current Land Uses:** Single-Family Dwellings and a Church

**Direction:** North across Rex Street and East across Belknap Street

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Church and Public Park

**Overlay and Special District Information:** 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:** Dora Street

**Existing Character:** Secondary Arterial Type B; 2 lanes in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Belknap Street and Rex Street

**Existing Character:** Local Streets; 1 lane in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** The closest VIA bus lines are numbers 3 and 4 which operate along San Pedro Avenue, west of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required because traffic generated by the proposed

development does not exceed the threshold requirements.

**Parking Information:** Off-street vehicle parking requirements for residential uses are determined by the number of dwelling units.

Dwelling - 2 Family - Minimum Parking Requirement: 1 space per unit. Maximum Parking Requirement: 2 spaces per unit.

**Staff Analysis and Recommendation:** Staff recommends approval. Zoning Commission recommendation pending the December 3, 2013 public hearing

**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 North Central Neighborhoods Community Plan and is currently designated as Low Density Residential in the future land use component of the plan. The “R-5” base zoning district is consistent with the adopted land use designation.

Low Density Residential supports the principles of concentrating urban growth, reinforcing existing neighborhoods, and supporting residential growth within walking distance of neighborhood commercial centers and schools. This development should be oriented toward the center of the neighborhoods and away from traffic arterials. Low Density Residential areas are composed mainly of single family dwellings on individual lots. This classification describes established residential neighborhoods of low to medium density, and supports compatible in-fill development.

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

Staff finds no likely adverse impact on the surrounding neighborhood related to the zoning change request. However, the surrounding residential neighborhood is solidly single-family; and approval of the zoning change request would allow a slight increase in density within the neighborhood. Increased density is most appropriate along higher-order streets at the periphery of established neighborhoods, which is consistent with the subject property’s location

### **3. Suitability as Presently Zoned:**

The current “R-5” Residential Single-Family District is appropriate for the subject property and surrounding area. The zoning request does not include a change to the base zoning district and single-family residential uses will continue to be permitted on the property.

The property appears to have been constructed as a two-family dwelling or was converted many years ago. However, the units have been vacant for more than 12 months, so the two-family dwelling is not eligible for registration as a Legal Nonconforming Use.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to this request. The structure on the subject property has been vacant for a number of years. Recently, significant improvements have been made to the structure. Approval of the rezoning request will allow viable use of the long-vacant structure.

### **5. Public Policy:**

The request does not appear to conflict with any public policy objective. GOAL 3: Maintain and preserve the quality of the existing residential and commercial properties through the encouragement of rehabilitation and code compliance. Objective 3.1: Promote the maintenance of existing properties.

**6. Size of Tract:**

The subject site is 0.1148 acres in size, which should reasonably accommodate the proposed two dwelling units and required parking. A zoning change request for a Conditional Use requires the applicant to submit a site plan of the subject property that includes all existing and proposed development.

**7. Other Factors:**

The conditional zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but, due to individual site consideration or unique development requirements may be compatible with adjacent land uses under given conditions.