



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8019

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 11/5/2019

**Title:** ZONING CASE Z-2019-10700254 (Council District 1): A request for a change in zoning from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-3 AHOD" Residential Single-Family Airport Hazard Overlay District on Lot 66, Block 3, NCB 2159, located at 241 Rounds Street. Staff recommends Approval. (Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700254

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "R-3 AHOD" Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Zaira Velasco Simoneen/Alex Emilio Parini Moreni

**Applicant:** Zaira Velasco Simoneen/Alex Emilio Parini Moreni

**Representative:** Zaira Velasco Simoneen/Alex Emilio Parini Moreni

**Location:** 241 Rounds Street

**Legal Description:** Lot 66, Block 3, NCB 2159

**Total Acreage:** 0.0551

**Notices Mailed**

**Owners of Property within 200 feet:** 58

**Registered Neighborhood Associations within 200 feet:** West End Hope in Action Neighborhood Association

**Applicable Agencies:** None.

**Property Details**

**Property History:** The property was part of the original 36 square miles of the City of San Antonio and was originally zoned "H" Local Retail District. With the adoption of the Unified Development Code established by Ordinance 33412 on June 28, 1965, the property converted to "B-3" Business District. Later, with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the subject property converted to the current "C-3" General Commercial District.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3"

**Current Land Uses:** Single Family Residences

**Direction:** East

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Single Family Residence

**Direction:** South

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Single Family Residences

**Direction:** West

**Current Base Zoning:** "C-3"

**Current Land Uses:** Single Family Residence

**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.

**Transportation**

**Thoroughfare:** Rounds Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 79, 277 (approximately 0.16 miles)

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The parking minimum for a single family residence is 1 space per dwelling.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “C-3” provides for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**Proposed:** The proposed "R-3" (residential single-family) zoning districts are designed to provide options for developing dwelling units for specialized housing markets such as the affordable housing market, starter homes, and empty nester homes on small lots. These districts will provide areas for medium to high-density, single-family residential uses where adequate public facilities and services exist, prevent the overcrowding of land, and facilitate the adequate provision of transportation. The "R-3" (residential single-family) zoning districts are designed to be in close proximity to schools, public parks, and open space serving the site. "R-3" zoning districts are inappropriate for "enclave subdivisions" and are not permitted.

**FISCAL IMPACT:**

None.

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

The property is not located within Regional Center but it is within a ½ mile of 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 not located within any Community, Neighborhood, or Sector Plan therefore a finding of consistency is not required.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established uses in the area.

**3. Suitability as Presently Zoned:**

The existing “C-3” General Commercial zoning is not an appropriate zoning for the surrounding area. The

proposed “R-3” is more suitable to the area and would allow for the property’s zoning to match its current use. The proposed rezoning request is considered a downzoning given the surrounding “C-3” General Commercial and “MF-33” Multi-Family District are not consistent zoning districts for the established single-family homes in the area. This area may benefit from further research and analysis for consideration of a large area rezoning.

**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.

**6. Size of Tract:**

The subject property is 0.0551 acres, which adequately supports single-family residential use.

**7. Other Factors:**

The applicant is seeking the rezoning to use the property as a single-family home. The applicant recently discovered mold damage in a wall and when a contaminated portion of a wall was removed; at that point, the applicant decided to make a 5 x 12 foot addition and enclose that portion of the home. The applicant sought a permit and discovered the property was not zoned for use as a residential home. This proposed rezoning request is sought to align the zoning for residential use to allow the applicant to continue living on the subject property, to obtain any needed permits to address mold issues and to legally permit the enclosed addition recently constructed.