



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1180

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/7/2018

**Title:** ZONING CASE # Z2018005 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Four (4) Dwelling Units on Lot 8 and Lot 9, Block 2, NCB 2276, located at 2219 West Houston Street. Staff recommends Approval. Zoning Commission recommends Denial.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance

Date	Ver.	Action By	Action	Result
6/7/2018	1	City Council A Session	Motion to Deny	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018005

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for Four (4) Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2017

**Case Manager:** Nyliah Acosta

**Property Owner:** Charles A. Pena

**Applicant:** Charles A. Pena

**Representative:** Baltazar Serna Jr.

**Location:** 2219 West Houston Street

**Legal Description:** Lot 8 and Lot 9, Block 2, NCB 2276

**Total Acreage:** 0.287

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was zoned "B" Residence District. Upon the adoption of the 2001 Unified Development Code the previous "B" converted to the current "R-4" Residential Single-Family District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4, MF-33

**Current Land Uses:** Single-Family Residences, Duplex

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residences, Duplex

**Direction:** South

**Current Base Zoning:** R-4, C-3

**Current Land Uses:** Single-Family Residences, Auto sales, Car Wash

**Direction:** West

**Current Base Zoning:** R-4, MF-33

**Current Land Uses:** Single-Family Residences, Duplex, Fourplex

**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:** West Houston Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** North Sabinas

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** North Nueces  
**Existing Character:** Local Road  
**Proposed Changes:** None Known

**Public Transit:** VIA Routes 75, 76, 275 and 276 are within walking distance from the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Single- Family Minimum Parking Spaces: 1 per unit. Maximum Parking Spaces: NA.

**ISSUE:**  
None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. 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 are allowed within the “R-4” zoning district.

**FISCAL IMPACT:**  
None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not within a Regional center, but is less than ½ a mile of the Commerce-Houston Premium Transit Corridor.

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission (7-3) recommends Denial.

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

**1. Consistency:**

The property is currently not within any Sector Plan, Neighborhood Plan, or Community Plan and does not have a designated future land use, therefore a finding of consistency is not required.

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

The property owner currently has 4 units on the property and is out of compliance with the current “R-4” zoning district. The area is largely surrounded by the “MF-33” Multi-Family district and a mix of duplexes and quadraplexes in the immediate area and sits close to a corner lot. As a result of section 35-D101 (j), “B” Residence Districts that converted to “R-4” are allowed duplexes. The property is made up of Lots 8 and 9 which by right would permit two duplexes, for a total of four units (one duplex per lot) however, the applicant currently has one structure with three units in the front and one unit in the rear that encroaches on the second lot. The “R-4 CD” Residential Single-Family with a Conditional Use for Four (4) Dwelling Units will bind the property owner to a site plan to ensure additional units are not constructed in the future.

**3. Suitability as Presently Zoned:**

The current “R-4” base zoning district is appropriate for the subject property’s location; however, the dwellings on the property are already existing for a total of 4 units. The small scale multi-family structure offer diverse

housing options for the neighborhood, and is not out of character within the area.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property totals 0.287 acres in size, which reasonably accommodates the uses permitted in “R-4” Residential Single-Family District.

**7. Other Factors:**

None.