



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-2396

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 3/21/2019

**Title:** ZONING CASE # Z-2019-10700001 S (Council District 2): Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "RM-4 S AHOD" Residential Mixed Airport Hazard Overlay District with Specific Use Authorization for a Daycare Center on Lot B, Block E, NCB 646, located at 611 Virginia Boulevard. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-03-21-0255

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700001 S

**SUMMARY:**

**Current Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "RM-4 S AHOD" Residential Mixed Airport Hazard Overlay District Specific Use Authorization for a Daycare Center

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 19, 2019

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Ana Mercenario

**Applicant:** Ana Mercenario

**Representative:** Ana Mercenario

**Location:** 611 Virginia Boulevard

**Legal Description:** Lot B, Block E, NCB 646

**Total Acreage:** 0.0536

**Notices Mailed**

**Owners of Property within 200 feet:** 35

**Registered Neighborhood Associations within 200 feet:** Denver Heights

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is within the original 36 square miles of the city of San Antonio. The subject property was rezoned to "R-2" Two Family Residence District by Ordinance 79329, dated December 16, 1993. The property converted from "R-2" Two Family Residence District to the current "RM-4" Residential Mixed District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Residential Dwellings

**Direction:** East

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Residential Dwellings

**Direction:** South

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Residential Dwellings

**Direction:** West

**Current Base Zoning:** "RM-4" and "NC"

**Current Land Uses:** Automotive Services

**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:** Virginia

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 28, 30, 230

**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:** The minimum parking requirements for a daycare center is 1 space per 375 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “RM-4”. These districts provide areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or half a mile of a 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 the approval criteria below.

**1. Consistency:**

The property is located within the Arena District/Eastside Community Plan, and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “RM-4” base zoning is consistent with the future land use designation.

**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 property is maintaining its base zoning district of “RM-4”. The specific use authorization allows consideration of a Daycare Center with any necessary conditions regarding signage and hours of operation.

**3. Suitability as Presently Zoned:**

The current “RM-4” base zoning district is an appropriate zoning district for the property and surround 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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the

Arena District/Eastside Community Plan:

2. Land Use Guiding Principles

2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations

2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment

4. Land Use Plan Goals

4.1 Conserve existing neighborhoods

**6. Size of Tract:**

The subject property is 0.0536 acres, which would adequately support a daycare center.

**7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but with may, under the right set of circumstances and conditions be acceptable in certain specific locations.