



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1297

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/19/2014

**Title:** ZONING CASE # Z2014143 (District 1): An Ordinance amending the Zoning District Boundary from "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Two-Family Dwelling to "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District on 0.3233 of an acre out of Lots 9 and 10, Block 3, NCB 761 located at 308 Warren Street. Staff recommends denial. Zoning Commission recommends approval. (Associated Plan Amendment Case 14040)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-143.pdf, 2. Z2014143.pdf, 3. 14-1297 Z2014143 DRAFT ORDINANCE, 4. Ordinance 2014-06-19-0480

Date	Ver.	Action By	Action	Result
6/19/2014	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 1

**SUBJECT:**  
Zoning Case Z2014143

**SUMMARY:**

**Current Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Two-Family Dwelling

**Requested Zoning:** "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 20, 2014

**Case Manager:** Trenton Robertson, Planner

**Property Owner:** Cogo Investments (by Abelardo Juárez, Member)

**Applicant:** Abelardo Juárez

**Representative:** Abelardo Juárez

**Location:** 308 Warren Street

**Legal Description:** 0.3233 of an acre out of Lots 9 and 10, Block 3, NCB 761

**Total Acreage:** 0.3233

**Notices Mailed**

**Owners of Property within 200 feet:** 18

**Registered Neighborhood Associations within 200 feet:** Five Points Owners Association

**Planning Team:** Five Points Neighborhood Plan-21

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the city limits as established in 1938 and was originally zoned "D" Apartment District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "MF-33" Multi-Family District. In 2003, the subject property was part of a large-area case that changed the base zoning district to "R-4" Residential Single-Family District. In 2012, the subject property was rezoned to "R-4 CD" with a conditional use for two dwelling units. The lot is not platted in its current configuration. The subject property is developed with a residential structure that measures 2,602 square-feet and was built in 1912.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "O-1" and "R-4"

**Current Land Uses:** Professional office, vacant, apartments and single-family residential

**Direction:** South and west

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

**Current Land Uses:** Vacant and single-family residential

**Direction:** East

**Current Base Zoning:** "MF-50"

**Current Land Uses:** Apartments

**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:** Warren Street and Marshall Street

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

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines are the 2, 82, 88, 202, 282, and 288 which operate west of the

subject property along North Flores Street; and the 4, 95, 96, 97, 204, and 296 which operate east of the subject property along San Pedro Avenue.

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

**Parking Information:** The on-site vehicle parking requirements for multi-family uses are determined by the number of dwelling units.

**Multi-Family Dwellings**

Minimum requirement: 1.5 per unit

Maximum allowance: 2 per unit

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the zoning request will result in the subject property retaining the current single-family residential zoning with a conditional use for a duplex, the subject property would not be able to be developed as an apartment complex, but rather be redeveloped for either a single-family residential dwelling or duplex.

**FISCAL IMPACT:**

None. The zoning request is eligible for the Inner City Reinvestment Infill Policy fee waiver. The Development Services Department fees will be reimbursed through grant funding.

**RECOMMENDATION:**

Staff recommends denial. Zoning Commission (8-0) recommends 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 Five Points Neighborhood Plan and is currently designated as Low Density Residential in the future land use component of the plan. The requested "MF-25" base zoning district is not consistent with the Low Density land use designations. The applicant has applied for a plan amendment to change the future land use designation to High Density Residential. Staff and Planning Commission recommend denial.

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

Approval of the requested rezoning will likely increase in traffic and on-street parking on a local street designed for single-family residential uses and traffic. Multi-family zoning districts may provide an appropriate transition between low-density residential uses and major arterial thoroughfares, but multi-family uses should not encroach into single-family neighborhoods.

**3. Suitability as Presently Zoned:**

The existing "R-4" base zoning district is appropriate for the subject property. The surrounding blocks include a mix of vacant lots, single-family dwellings, small and large apartment complexes, and office uses.

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

Staff finds possible negative effects on the health, safety and welfare of the surrounding neighborhood due to the proposed increased density on the subject property. The area experiences a high occurrence of on-street parking. Staff is concerned that the on-street parking situation will worsen if the overall density of the neighborhood increases.

**5. Public Policy:**

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

**6. Size of Tract:**

The subject property is 0.3233 of an acre in size, which would accommodate a maximum of 8 dwelling units if the zoning change request is approved. The small lot size and required parking may serve to limit the building size, but will still allow the 8 proposed dwelling units.

**7. Other Factors:**

None.