



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1647

**Type:** Zoning Case

**In control:** City Council A Session

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

**Title:** ZONING CASE # Z2018350 CD (Council District 3): 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 a Variety Store on West 66-feet of the South 150-feet of Lot 7, Block 2, NCB 7578, located at 467 Hot Wells Boulevard. Staff recommends Approval. Zoning Commission recommends Denial, for lack of a motion. (Continued from January 17, 2019)

**Sponsors:**

**Indexes:**

**Code sections:**

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

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2018350 CD

**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 a Conditional Use for a Variety Store

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 20, 2018. This case is continued from the November 6, 2018 hearing.

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Haocheng Fang

**Applicant:** Elanie Hu

**Location:** 467 Hot Wells Boulevard

**Legal Description:** West 66 feet of South 150 feet of Lot 7, Block 2, NCB 7578

**Total Acreage:** 0.2273

**Notices Mailed**

**Owners of Property within 200 feet:** 14

**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association and Mission Reach Hot Wells Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on August 3, 1944, established by Ordinance 1256 and was zoned "D" Apartment District. The zoning converted to "MF-33" Multi-Family District upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001. The current "R-4" Residential Single-Family District changed from the "MF-33" base zoning district, established by Ordinance 2016-06-16-0493, dated June 16, 2016.

**Topography:** The majority of the subject property is included in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Office Buildings, Auto Repair Shop

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residential, Vacant Lot

**Direction:** South

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

**Current Land Uses:** Auto Sales, Vacant Lot

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Convenience Store, Apartments

**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:** Hot Wells Boulevard

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** New Braunfels Avenue

**Existing Character:** Primary Arterial Type B  
**Proposed Changes:** None known

**Public Transit:** There are bus stops within walking distance on South New Braunfels Avenue along Bus Routes 20, 36, and 242.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report may be required.

**Parking Information:** A Variety Store requires a minimum of one (1) parking space per 300 square-feet of the Gross Floor Area (GFA) and allows a maximum of one (1) parking space per 200 square-feet of the GFA.

**ISSUE:**  
None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-4” base zoning district permits single-family dwellings (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.

**FISCAL IMPACT:**  
None.

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

The subject property is located within the Brooks City Base Regional Center and is located within close proximity to the New Braunfels Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission (3-5) recommends Denial for lack of a motion.

**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 Highland Hills Land Use Plan and is currently designated as “Low Density Residential” in the land use component of the plan. The requested “R-4 CD” base zoning district is consistent with the adopted 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 proposed use is consistent with the established development pattern of the surrounding area.

**3. Suitability as Presently Zoned:**

The existing “R-4” base zoning district is not appropriate for the surrounding area.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The subject property is located at the intersection of S. New Braunfels Avenue and Hot Wells Boulevard are two major collector streets in the Brooks area. Currently, the structure on the site is residential and the future land use in the South Central Community Plan also calls for low density residential. The property is located along a mixed-use corridor that would contain neighborhood-serving commercial and a variety of residential uses.

Relevant Goals, Policies and Actions of the Comprehensive Plan may include:

- GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
- GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
- H P19: Develop specific land use and action plans for regional centers and transit corridors that support housing, a mix of uses and higher-density development, and that discourage lower-density uses.

Mixed-use is encouraged along the New Braunfels, a low intensity commercial zoning and land use would be more appropriate for the site.

#### **6. Size of Tract:**

The 0.2273 acre site is of sufficient size to accommodate the proposed development.

#### **7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The following conditions shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.