



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-3467

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/6/2015

**Title:** ZONING CASE # Z2015004 (Council District 1): An Ordinance amending the Zoning District Boundary from "MF-33 H S AHOD" Multi-Family King William Historic Airport Hazard Overlay District with a Specific Use Authorization for a Child Care Institution (Specialized) to "IDZ H AHOD" Infill Development Zone King William Historic Airport Hazard Overlay District with Single-Family Residential uses (attached townhomes) at a density not to exceed 25 units per acre on Lots 7, 8 and the north 12.4 feet of Lot 9, Block B, NCB 935 and "RM-4 H AHOD" Residential Mixed King William Historic Airport Hazard Overlay District on the south 43.8 feet of the west 69 feet of Lot 9 and the west 69 feet of Lot 10, Block B, NCB 935 all on Lots 7, 8, the north 12.49 feet and south 43.8 feet west of 69 feet of Lot 9 and west 69 feet of Lot 10, Block B, NCB 935 located at 139 Cedar Street and 311 Pereida. Staff and Zoning Commission recommend Approval. (Continued from May 21, 2015)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015-004\_Location Map, 2. Z2015004\_Zoning Minutes, 3. DRAFT ORDINANCE

Date	Ver.	Action By	Action	Result
8/6/2015	1	City Council A Session	Motion to Cont/Post	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2015004

**SUMMARY:**

**Current Zoning:** "MF-33 H S AHOD" Multi Family King William Historic Airport Hazard Overlay District with a Specific Use Authorization for a Child Care Institution (Specialized)

**Requested Zoning:** "IDZ H AHOD" Infill Development Zone King William Historic Airport Hazard Overlay District with Single-Family Residential uses (attached townhomes) at a density not to exceed 25 units per acre on Lots 7, 8 and the north 12.4 feet of Lot 9, Block B, NCB 935 and "RM-4 H AHOD" Residential Mixed King William Historic Airport Hazard Overlay District on the south 43.8 feet of the west 69 feet of Lot 9 and the west 69 feet of Lot 10, Block B, NCB 935

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 18, 2014

**Case Manager:** Ernest Brown, Planner

**Property Owner:** The Children’s Shelter Foundation

**Applicant:** 1836 Asset Development, LLC (Frank Pakuszewski)

**Representative:** Steve Yndo

**Location:** 139 Cedar Street and 311 Pereida

**Legal Description:** Lots 7, 8, the north 12.49 feet and south 43.8 feet west of 69 feet of Lot 9 and west 69 feet of Lot 10, Block B, NCB 935

**Total Acreage:** 0.64

**Notices Mailed**

**Owners of Property within 200 feet:** 39

**Registered Neighborhood Associations within 200 feet:** King William Association

**Planning Team:** Downtown Neighborhood Plan -67

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The subject property is located within the original city limits as established in 1938, and was originally zoned “D” Apartment District. In a 1991 case, the property was rezoned to “R-3 CC” Multi-Family Residence District with a Conditional Use for Child Care Institution (Specialized). Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “MF-33” Multi-Family District. The property currently houses The Children’s Shelter.

**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 and East

**Current Base Zoning:** “C3-H”, “C-3NA H HS”, “C-3 H HS”, “MF-33 H”, “MF-33 H HS”, “RM-4 H HS” and “RM-4 H”

**Current Land Uses:** Office, restaurant, single-family residence, and parking lot

**Direction:** South

**Current Base Zoning:** “RM-4 H”, “RM-4 H HE” and “RM-4 H HS”

**Current Land Uses:** Single-family residence

**Direction:** West

**Current Base Zoning:** “C-2 H HS”, “C-2 H” and “RM-4 H HS”

**Current Land Uses:** Restaurant, office, studio and single-family residence

**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.

Properties to the north, east, and south east of the subject property are located within the King William Historic District. Although the historic district does not restrict possible uses, it does require all construction plans be reviewed and approved by the City’s Historic and Design Review Commission (HDRC).

**Transportation**

**Thoroughfare:** Cedar Street

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

**Proposed Changes:** None known

**Thoroughfare:** Pereida Street

**Existing Character:** Local street; one lane in each direction with a sidewalk on one side

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines are the 34, 42, 232 and 242 which operate along South Saint Mary’s Street.

**Traffic Impact:** A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

**Parking Information:** The “IDZ” Infill Development Zone District eliminates off-street parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (8-2) recommend 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 located within the Downtown Neighborhood Plan and is currently designated as Residential in the future land use component of the plan. The Residential designation for this plan entails single-family, multi-family and mixed use land uses. The requested “IDZ” and “RM-4” base zoning districts are consistent with Residential land use designation. The property currently is occupied by The Children’s Shelter and redevelopment of the subject properties would increase density and housing opportunities for the neighborhood.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “MF-33” base zoning district is appropriate for the subject property’s location in an inner city neighborhood near South Alamo Street, a Secondary Arterial Type B. However, the property does not presently feature multi-family dwellings available for public use. Therefore, the proposed zoning will provide more economic development and housing prospects.

**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 0.64 of an acre in size, which should reasonably accommodate the uses permitted in “IDZ” and “RM-4”.

**7. Other Factors:**

Redevelopment of the subject properties shall be consistent with the character of the surrounding neighborhood.