



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-1055

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/28/2016

**Title:** ZONING CASE # Z2016037 CD (Council District 10): An Ordinance amending the Zoning District Boundary from "PUD MF-25 AHOD" Planned Unit Development Low Density Multi-Family Airport Hazard Overlay District to "MF-25 CD AHOD" Low Density Multi-Family Airport Hazard Overlay District with Conditional Use for a Professional Office on 6.01 acres of land out of NCB 12104, located at 2876 Nacogdoches Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-037 Location Map, 2. Z2016037 CD Site Plan, 3. Z2016037 CD Zoning Minutes, 4. DRAFT ORDINANCE, 5. Ordinance 2016-01-28-0061

Date	Ver.	Action By	Action	Result
1/28/2016	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:** Zoning Case Z2016037 CD

**SUMMARY:**

**Current Zoning:** "PUD MF-25 AHOD" Planned Unit Development Low Density Multi-Family Airport Hazard Overlay District

**Requested Zoning:** "MF-25 CD AHOD" Low Density Multi-Family Airport Hazard Overlay District with Conditional Use for a Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 15, 2015

**Case Manager:** Shepard Beamon, Planner

**Property Owner:** Carson Diversified SA LP

**Applicant:** Christopher Kimm, AIA

**Representative:** Christopher Kimm, AIA

**Location:** 2876 Nacogdoches Road

**Legal Description:** 6.010 acres of land out of NCB 12104

**Total Acreage:** 6.010

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Forest Oak; MacArthur Park

**Planning Team:** North Sector Plan

**Applicable Agencies:** None.

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 25, 1952 (Ordinance # 18115). On April 7, 1988, the subject property was zoned from the original "A" Single Family Residence District to "R-1" One Family Residences District (Ordinance # 66918). Upon the adoption of the 2001 Unified Development Code, "R-1" base zoning was converted to "R-6" Residential Single-Family District. On November 10, 2005, the subject property was then rezoned from "R-6" to PUD "MF-25" Planned Unit Development Multi-Family District not to exceed 26 units (Ordinance # 101904).

**Topography:** None.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4, MF-33, R-6

**Current Land Uses:** Condominiums, Single Family Residence, Church/School

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Church

**Direction:** South

**Current Base Zoning:** R-20, R-6

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

**Direction:** West

**Current Base Zoning:** NP-8, R-6

**Current Land Uses:** Single Family Residences

**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:** Nacogdoches Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known

**Thoroughfare:** Lovelace Boulevard

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** VIA Bus Route 10 stops in front of the subject property.

**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:**

Service - Professional Office. Minimum Vehicle Spaces: 1 per 300 sf GFA. Maximum Vehicle Spaces: 1 per 140 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present “PUD MF-25” zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (8-0) 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 North Sector Plan and is designated as Mixed Use Center. Both the proposed “MF-25 CD” and existing “PUD MF-25” zoning districts are consistent with the adopted land use designation.

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

Staff has found no evidence of likely adverse impacts on surrounding properties in relation to this zoning request. The base zoning will remain the same and there is no proposed new development on the property.

**3. Suitability as Presently Zoned:**

The existing “PUD MF-25” zoning district is appropriate for the subject property and surrounding areas. The subject property is located on Nacogdoches Road a major thoroughfare. Two single-family dwellings currently exist on the subject property. The property to the southeast and southwest is currently zoned "R-6" Residential Single-Family District and consists of single-family dwellings. The zoning to the northwest is zoned "R-6" Residential Single-Family District and consists of a church.

**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 request does not appear to conflict with any public policy objective. The zoning request fulfills the goals and strategies of the North Sector Plan, by promoting compatible land use patterns so that natural resources are preserved and the local economy remains viable. Also, the requested zoning ensures compatible economic

development along major transportation routes and existing activity centers that do not interfere with the mission of Camp Bullis.

**6. Size of Tract:**

The subject property is 6.010 acres in size, which accommodates the proposed development for a variety store.

**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.

Per Section 35-422 of the Unified Development Code, the following condition applies to all conditional use requests in residential zoning districts:

- 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 of operation for the general public shall not be permitted before 7:00 a.m. or after 6:00 p.m.