



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-2072

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 3/17/2015

**Title:** ZONING CASE # Z2015117 (Council District 2): A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District on Lot 4, Block 2, NCB 13858. 9714 Heidelberg Street. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map

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

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**SUBJECT:**

Zoning Case Z2015117

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 17, 2015

**Case Manager:** Logan Sparrow, Planner

**Property Owner:** Riojas Properties, LLC

**Applicant:** Brent Cullipher

**Representative:** Brent Cullipher

**Location:** 9714 Heidelberg Street

**Legal Description:** Lot 4, Block 2, NCB 13858

**Total Acreage:** 0.7415

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** None

**Applicable Agencies:** Northeast Independent School District

**Property Details**

**Property History:** Per Bexar County records the current use was established on-site in 1947. The property was annexed on February 18, 1965, which was established by Ordinance 33007. Because the use was established on-site prior to the date of annexation, the current use is considered to be grandfathered. The property was rezoned from “A” Single-Family Residence District to “R-1” Single-Family Residence District, which was established by Ordinance 66918, dated April 14, 1988. After the adoption of the Unified Development Code all properties zoned “R-1” Single-Family District converted to “R-6” Residential Single-Family District. Because the applicant is seeking to expand the use already established on the property they must rezone it to become compliant with the most current zoning regulations.

**Topography:** Staff did not find any topographical abnormalities on the subject property.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-6” Residential Single-Family District

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

**Direction:** East

**Current Base Zoning:** “R-5” Residential Single-Family District

**Current Land Uses:** Water Treatment Facility

**Direction:** South

**Current Base Zoning:** “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District

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

**Direction:** West

**Current Base Zoning:** UZROW

**Current Land Uses:** Heidelberg Street

**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:** Heidelberg Street

**Existing Character:** Local Street, one lane in each direction with no sidewalks

**Proposed Changes:** None known

**Public Transit:** VIA Bus Route 21 operates along Randolph Boulevard approximately 430 feet northwest 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:** The requested “MF-25” Low Density Multi-Family district requires a minimum of 1.5 parking spaces per unit or a maximum of 2.0 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the requested rezoning would result in the subject property retaining its current “R-6” Residential Single-Family zoning. This would not allow the owner of the property to expand the use to allow low-density multi-family uses.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 not located within a Sector Plan or Neighborhood Plan and has no planned future land use. As such, the requested rezoning is not in conflict with any land use designations. Staff notes that the multi-family designation is uncommon within the community, however the proposed rezoning request is for a residential use which is predominant within the community.

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

Staff is aware that there are some adverse affects experienced by the close proximity of single-family and multi-family uses. However, neighboring properties will be protected by the development standards applicable to the subject property including parking and setback requirements.

**3. Suitability as Presently Zoned:**

Currently, expansion of the multi-family uses at the subject property would not be permitted under the current zoning category. A rezoning is necessary for the site to become conforming to the requirements established by the Unified Development Code.

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

The community in which it is located is heavily residential, and the requested rezoning is consistent with residential uses. Though a multi-family use, the proposed rezoning is one of the less intense multi-family zoning categories available. The subject property is unlikely to pose any adverse impacts on the public health, safety, and welfare of the public.

**5. Public Policy:**

The requested rezoning does not appear to conflict with any established public policy.

**6. Size of Tract:**

The 0.7415 acre tract is of sufficient size for the request “MF-25” Low Density Multi-Family zoning. The requested zoning would allow up to 18 total units on the site.

**7. Other Factors:**

The property has been operating as a multi-family dwelling for many years and was first established in 1947, per Bexar County records.