



City of San Antonio

Agenda Memorandum

File Number: 18-6003

Agenda Item Number: Z-4.

Agenda Date: 11/15/2018

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:

Zoning Case Z2018330

SUMMARY:

Current Zoning: "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District

Requested Zoning: "MF-18 AHOD" Limited Density Multi-Family Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 16, 2018

Case Manager: Daniel Hazlett, Planner

Property Owner: Byron Noe Roman and Mildred Giron-Roman

Applicant: Byron Noe Roman and Mildred Giron-Roman

Representative: Laura Guerrero-Redman

Location: 100 Dinn Drive

Legal Description: Lot 118, Block 2, NCB 15730

Total Acreage: 0.28

Notices Mailed

Owners of Property within 200 feet: 21

Registered Neighborhood Associations within 200 feet: None

Applicable Agencies: Fort Sam Houston

Property Details

Property History: The property was annexed into the City of San Antonio and zoned Temporary "R-1" Single-Family Residence District by Ordinance 41431, dated December 26, 1972. The property was rezoned from Temporary "R-1" to "B-3R" Business Restrictive Alcohol Sales District by Ordinance 71050, dated February 8, 1990. The property converted from "B-3R" to the current "C-3R" with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Residences

Direction: East

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Residences

Direction: South

Current Base Zoning: "R-6"

Current Land Uses: Vacant Lots

Direction: West

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Residences

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: Dinn Drive

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Fratt Road

Existing Character: Local Street

Proposed Changes: None Known

Public Transit: VIA bus route 8 is within walking distance of the subject property.

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

Parking Information:

The minimum parking required in a multi-family development is 1.5 parking spaces per unit.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “C-3R” is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. The sale of alcoholic beverages for on-premises consumption is prohibited.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is not located within a Regional Center, nor is it located within ½ of a mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (11-0) 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 not located within an adopted Neighborhood, Community, Perimeter, or Sector Plan. Therefore, a finding of consistency is not required.

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 “C-3R” base zoning district is not appropriate for the surrounding area. Dinn Drive has a mix of commercial, industrial and residential base zoning which is atypical for a neighborhood.

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. The property is not located within an adopted Neighborhood, Community, Perimeter, or Sector Plan. The requested rezoning is a downzoning from “C-3R” which could permit heavy commercial uses adjacent to residential. The requested “MF-18” is a higher density than the surrounding properties, however it is an appropriate base zoning due to its location on the periphery of the neighborhood.

6. Size of Tract:

The subject property is 0.28 of an acre, which could accommodate the proposed four residential units.

7. Other Factors:

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.