



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-1974

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/2/2015

**Title:** ZONING CASE # Z2015101 (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 0.1222 acres out of Lots 30-33, NCB 8641 and Lot 13, Block 7, NCB 8641 located at 442 & 446 Inez Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Fiscal Impact Form, 2. Z2015101\_Location\_Map, 3. Zoning Commission Minutes, 4. Ordinance 2015-04-02-0263

Date	Ver.	Action By	Action	Result
4/2/2015	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 5

**SUBJECT:**

Zoning Case Z2015101

**SUMMARY:**

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

**Requested Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 03, 2015

**Case Manager:** Logan Sparrow, Planner

**Property Owner:** Daniel Lozano

**Applicant:** Daniel Lozano

**Representative:** Daniel Lozano

**Location:** 446 Inez Avenue and 442 Inez Avenue

**Legal Description:** Lot 13, Block 7, NCB 8641 and SW IRR 23.80 of 30 & NW TRI 10.1 of 31 & NW TRI 23.8 of 33, Block 7, NCB 8641

**Total Acreage:** 0.3533

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Memorial Heights Neighborhood Association

**Planning Team:** None

**Applicable Agencies:** The San Antonio Parks and Recreation Department was notified.

**Property Details**

**Property History:** The subject property was rezoned from “MF-33” Multi-Family District to “R-6” Residential Single-Family District” on August 14, 2003, which was established by Ordinance 98010 as part of a large area rezone.

**Topography:** The property is entirely located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-6”

**Current Land Uses:** Single Family Dwelling, Vacant Lot

**Direction:** East

**Current Base Zoning:** “R-5”

**Current Land Uses:** Single Family Dwelling

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** “R-6”

**Current Land Uses:** Single Family Dwelling

**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:** NW 36<sup>th</sup> Street

**Existing Character:** Primary Arterial; 2 lanes in each direction

**Proposed Changes:** None known

**Public Transit:** VIA bus route 77 operates along NW 36<sup>th</sup> Street

## **Transportation**

**Thoroughfare:** Inez Avenue

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Public Transit:** VIA bus route 77 operates along Inez Avenue

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

**Parking Information:** The requested “C-2” Commercial zoning allows for a variety of uses. Whichever use is established on-site will trigger parking requirements commensurate to that use.

### **ISSUE:**

Development of a property completely contained within the 100-year flood plain will be very difficult. Staff has notified the applicant of the challenges associated with construction within the flood plain.

### **ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the residential zoning.

### **FISCAL IMPACT:**

None.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and the Zoning Commission (9-0) 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 West/Southwest Sector Plan and establishes General Urban Tier land use for this property which allows for “C-1” Light Commercial District, “C-2” Commercial District, and “C-2P” Commercial Pedestrian District zoning.

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

Staff is aware that there may be some adverse impact for neighboring properties. However, given the development standards requiring bufferyards and screening between residential and commercial properties, staff believes that the adverse impact could be mitigated such that adjacent properties are not harmed.

#### **3. Suitability as Presently Zoned:**

The current R-6 zoning is not suitable for the subject property. The property experiences many development challenges due to its location within the 100-year flood plain. The “C-2” Commercial District is consistent for development within this community per the plan and allows a more accessible range of development opportunities for the property owner in light of the flood plain.

#### **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 is 0.3533 of an acre, which is of sufficient size to accommodate uses permitted in “C-2”.

**7. Other Factors:**

None.