



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-2056

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 3/1/2018

**Title:** ZONING CASE # Z2018026 (Council District 5): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 14 and Lot 15, Block 1, NCB 8960, located at 1103 and 1107 Vermont Street. Staff and Zoning Commission recommend Denial. (Associated Plan Amendment Case 18010) (Continued from February 15, 2018)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018026  
(Associated Plan Amendment Case 18010)

**SUMMARY:**

**Current Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2018. This case has been expedited to the February 15, 2018 City Council Hearing due to the cancellation of the January 16 Zoning Commission Meeting.

This case was continued to the January 16, 2018 Zoning Hearing from the December 19, 2017 Zoning Hearing. Due to the cancelled meeting, the case was republished and renotified.

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Arturo and Julieta Hernandez

**Applicant:** Arturo and Julieta Hernandez

**Representative:** Lupe Sanchez

**Location:** 1103 and 1107 Vermont Street

**Legal Description:** Lot 14 and Lot 15, Block 1, NCB 8960

**Total Acreage:** 0.287

**Notices Mailed**

**Owners of Property within 200 feet:** 40

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

**Applicable Agencies:** None.

**Property Details**

**Property History:** The subject properties were annexed and zoned "B" Residence District by Ordinance 1391, dated September 23, 1944. The subject properties were a part of a large-area rezoning which changed the base zoning form "B" to "R-5" Residential Single-Family District by Ordinance 76368, dated August 27, 1992.

**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-5"

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

**Direction:** East

**Current Base Zoning:** "C-2", "R-5"

**Current Land Uses:** Convenience Store/Gas Station, Single-Family Residence

**Direction:** South

**Current Base Zoning:** "R-5"

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

**Direction:** West

**Current Base Zoning:** "R-5"

**Current Land Uses:** 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.

**Transportation**

**Thoroughfare:** Vermont Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Orey Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Division Avenue

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bust routes 46 and 246 are within walking distance from the subject properties.

**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 for a fourplex 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 designation of “R-5”, which permits single-family dwellings (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject properties are not within a Regional Center or within a ½ of a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-1) recommend Denial.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject properties are located within the Nogalitos/South Zarzamora Community Plan and are currently designated as “Low-Density Residential” in the future land use component of the plan. The requested “RM-4” base zoning is not compatible with the future land use designation. The applicant is requesting a land use amendment from “Low Density Residential” to “Medium Density Residential” to accommodate the proposed rezoning. Staff and Planning Commission recommend Denial of the Plan Amendment.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The introduction of two fourplexes could alter the character of the neighborhood which is primarily single-family residences.

**3. Suitability as Presently Zoned:**

The current “R-5” is an appropriate zoning for the property and surrounding area. The surrounding area is primarily single-family residences.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The proposed rezoning would increase the permitted density on the subject property.

**5. Public Policy:**

The proposed rezoning appears to conflict with the following goals and objectives of the Nogalitos/South Zarzamora Community Plan.

- Goal 1: Housing - Improve the quality, appearance, and variety of existing and new housing for people of all ages while preserving the character of the neighborhoods.
- Objective 2.1 Neighborhood Character and Appearance Protect and preserve the character of the neighborhoods and commercial corridors while improving their physical appearance.

**6. Size of Tract:**

The subject properties are 0.287 of an acre, which could reasonably accommodate the proposed development.

**7. Other Factors:**

None.