



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4213

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/2/2018

**Title:** ZONING CASE # Z2018203 (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2P AHOD" Commercial Pedestrian Airport Hazard Overlay District on 0.25 acres out of NCB 751 (save and except the west 5-feet of the south 100-feet), located at 919 West Poplar Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18061)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Field Notes, 5. Ordinance 2018-08-02-0558

Date	Ver.	Action By	Action	Result
8/2/2018	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018203  
(Associated Plan Amendment 18061)

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 19, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** MPSM LLC

**Applicant:** Roger A. Perez

**Representative:** Roger A. Perez

**Location:** 919 West Poplar Street

**Legal Description:** 0.25 acres out of NCB 751 (save and except the west 5-feet of the south 100-feet)

**Total Acreage:** 0.25

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Five Points Neighborhood Association

**Applicable Agencies:** NA

**Property Details**

**Property History:** The subject property was rezoned from "MF-33" Multi-Family District to "R-4" Residential Single-Family District by Ordinance 97522, dated April 24, 2003.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-2 IDZ" & "R-4"

**Current Land Uses:** Parking Lot, Unknown, Vacant and Single-Family Residences

**Direction:** East

**Current Base Zoning:** "R-4"

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

**Direction:** South

**Current Base Zoning:** "C-2 IDZ" & "R-4"

**Current Land Uses:** Meat Market, Parking Lot and Single-Family Residences

**Direction:** West

**Current Base Zoning:** "C-2 IDZ"

**Current Land Uses:** MK Davis Restaurant, Parking Lot and Offices

**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:** West Poplar Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 2, 82, 88, 202, 282 and 288

**Thoroughfare:** North Flores Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 2, 82, 88, 202, 282 and 288

**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:**

There is no minimum number of vehicle spaces for an accessory use.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-4”. “R-4” allows for uses such as single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The property is located within the Midtown Regional Center and half a mile of Premium Transit Corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval, pending Plan Amendment.

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

**1. Consistency:**

The subject property is located within the Five Points Neighborhood Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-2P” base zoning is not compatible with the future land use designation. The applicant is requesting a Plan Amendment from “Low Density Residential” to “Low Density Mixed Use” to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval of the Plan Amendment.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The M.K. Davis Restaurant is a popular designation that experiences heavy traffic throughout the day. Due to the shortage of parking, customers resort to parking on the surrounding residential streets. The proposed zoning change to “C-2P” will mitigate the non-residential parking around the local area into a new designated parking lot specifically for M.K. Davis.

**3. Suitability as Presently Zoned:**

The current “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare. The added parking lot will reduce the traffic flow around the local area as fewer cars are required to drive around in search of an open space, thus reducing auto to pedestrian collisions.

#### **5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Five Points Neighborhood Plan

Five Points Neighborhood Plan Relevant Goals and Objectives:

- Goal 1: Develop mixed uses on North Flores St.
  - Objective 1.1 Improve walkability through installing new or repairing existing sidewalks.
- Goal 2: Promote responsible economic development
  - Objective 2.2: Work with developers so that new and renovated buildings do not overwhelm the architectural character of the neighborhood. When possible, new buildings should be built in context with the historic nature of the community.
- Goal 3: Preserve the existing housing stock
  - Objective 3.1: Utilize municipal zoning tools to preserve the architectural character of the historical housing stock

#### **6. Size of Tract:**

The subject property is 0.25 acres, which would adequately support a non-commercial parking lot.

#### **7. Other Factors:**

"C-2 P" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

##### **(1) General Provisions.**

A. **Outdoor Storage or Display.** No outdoor storage or display of goods shall be permitted except for outdoor dining.

##### **(2) Front Setback.**

A. The maximum front setback in a "C-2P" district is thirty-five (35) feet.

B. The district regulations within the "C-2" district are the same as in the "C-2P" districts except that there is no required front setback maximum.