City of San Antonio

Legislation Details (With Text)

File #:	19-5514
Type:	Zoning Case
In control:	City Council A Session
On agenda:	8/8/2019
Title:	ZONING CASE Z-2019-10700112 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for four (4) dwelling units on Lot 19, Block 9, NCB 2020, located at 411 Cincinnati Avenue. Staff recommends Denial with an Alternate Recommendation. Zoning Commission recommends Approval with a Condition.
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Location Map, 2. Zoning Minutes, 3. Site Plan, 4. Draft Ordinance, 5. Ordinance 2019-08-08-0605

Date	Ver.	Action By	Action	Result
8/8/2019	1	City Council A Session	Motion to Appr w Cond	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:
Zoning Case Z-2019-10700112 CD

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

Requested Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for four (4) dwelling units

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: July 16, 2019. This case is continued from July 2, 2019 zoning hearing for lack of a motion.

Case Manager: Mirko Maravi, Planner

Property Owner: Cincinnati Place Apartments, LLC

Applicant: John and Jackie Contreras

Representative: John and Jackie Contreras

Location: 411 Cincinnati Avenue

Legal Description: Lot 19, Block 9, NCB 2020

Total Acreage: 0.1664

Notices Mailed
Owners of Property within 200 feet: 31
Registered Neighborhood Associations within 200 feet: Uptown Neighborhood Association
Applicable Agencies: None

Property Details
Property History: The subject property was part of the original 36 square miles of the City of San Antonio. The property was rezoned by Ordinance 86702, dated 25 September 1997 from "B" Residence District to "R-1" Single Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" Single Family Residence District converted to the current "R-6" Residential Single-Family District.

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 Residence

Direction: South
Current Base Zoning: "R-6"
Current Land Uses: Single-Family Residence

Direction: East
Current Base Zoning: "R-6"
Current Land Uses: Single-Family Residence

Direction: West
Current Base Zoning: "R-6"
Current Land Uses: Single-Family Residence

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: Cincinnati Ave
Existing Character: Minor
Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.
Routes Served: 95, 96, 97, 289, 296

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 requirement for a dwelling - 4 family cluster is 1.5 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-6". These districts provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The subject property is within the Midtown Regional Center and located within the Premium Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff recommends Denial, with an alternate recommendation for "R-6 CD" Residential Single-Family with Conditional Use for two (2) residential units. Zoning Commission (8-2) recommends Approval with Conditions.

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 recently adopted Midtown Regional Center Area Plan and is currently designated as "Urban Low-Density Residential" in the future land use component of the plan. The requested "R -6" base zoning district is consistent with the future land use designation.

2. Adverse Impacts on Neighboring Lands:
Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is too dense for a predominantly "R-6" single-family residential area. Therefore, staff recommends keeping the base zoning of "R-6" and adding a Conditional Use to allow two (2) dwelling units.

3. Suitability as Presently Zoned:
The current "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. A density of two (2) units is more appropriate than four (4) units.

4. Health, Safety and Welfare:
Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

5. Public Policy:
The subject property is located within the SA Tomorrow Midtown Area Regional Center and the SA Corridors Fredericksburg Corridor half-mile buffer. The lot is zoned R-6 which allows one dwelling unit on a 6,000 square foot lot. However, there are currently seven units on the lot. The applicant has requested that four units be allowed on this lot. The neighborhood zoning is mostly R-6 with small amounts of RM-4.

The recently adopted Midtown Area Regional Center Plan has designated the area as urban low density residential that excludes RM-4 as an allowed zoning category. Urban low density residential includes a range of housing types but would not allow four units on such a small parcel of land.

Two dwellings units would be more appropriate on this lot and in this neighborhood. The recently adopted plan should be respected and a plan amendment and consequent zoning amendment should be denied with an alternate recommendation for a conditional use for two units in R-6.

The alternate recommendation would prevent a disruptive change to the neighborhood character while still appropriately allowing the original structure to accommodate additional housing in the regional center and corridor.

6. Size of Tract:
The subject property is 0.1664 acres, which can accommodate residential development.

7. Other Factors:
The applicant has indicated that they purchased the property with seven (7) residential units. They are requesting the conditional use in order to keep four (4) units.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.

Should Council approve, staff and Zoning Commission recommend approval with the following condition:

1) No parking of vehicles within the front yard.