City of San Antonio

Legislation Details (With Text)

File #:	20-5031
Type:	Zoning Case
	In control: City Council A Session
On agenda:	9/17/2020
Title:	ZONING CASE Z-2020-10700023 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Professional Office on Lot 9 and Lot 10, Block 7, NCB 2800, located at 116 Annie Street. Staff recommends Approval. Zoning Commission recommends Denial. (Continued from August 20, 2020.)
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Map, 2. Site Plan, 3. Draft Ordinance, 4. Zoning Minutes, 5. Ordinance 2020-09-17-0667

Date	Ver.	Action By	Action	Result

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:
Zoning Case Z-2020-10700023 CD

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

Requested Zoning: "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Professional Office

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: May 5, 2020. The March 17, April 7 and April 21 meetings were cancelled.

Case Manager: Justin Malone, Planner

Property Owner: Roy Reyes

Applicant: Roy Reyes

Representative: Mitsuko Ramos

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Location: 116 Annie Street

Legal Description: Lot 9 and Lot 10, Block 7, NCB 2800

Total Acreage: 0.1435

Notices Mailed
Owners of Property within 200 feet: 16
Registered Neighborhood Associations within 200 feet: Monte Vista Terrace Neighborhood Association
Applicable Agencies: None.

Property Details
Property History: The property was annexed by the City of San Antonio in 1905 and was part of the original 36 square miles of the 1936 City Limits. The property was originally zoned "B" Residence District and converted to "R-4" Residential Single-Family District following the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

Adjacent Base Zoning and Land Uses
Direction: North
Current Base Zoning: OCL
Current Land Uses: Panchito's Restaurant

Direction: East
Current Base Zoning: "R-4"
Current Land Uses: Single-Family Residence

Direction: South
Current Base Zoning: "MF-33"
Current Land Uses: Single-Family Residence

Direction: West
Current Base Zoning: "R-4"
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: Annie Street
Existing Character: Local
Proposed Changes: None

Public Transit: VIA bus routes are within walking distance of the subject property.
Routes served: 5

Traffic Impact: A Traffic Impact Analysis (TIA) determination cannot be determined at this time.

Parking Information: The minimum parking requirement for a professional office is 1 parking space per 300 square feet. The minimum parking space requirement for a single-family residence is 1 space per dwelling.

ISSUE:
None.

ALTERNATIVES:

Current: The present zoning district designation of "R-4" Residential Single-Family are designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is 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.

Proposed: The proposed zoning district designation of "R-4 CD" Residential Single-Family are designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is 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.
The Conditional Use would allow a professional office as described in the site plan.

FISCAL IMPACT:
None.

Proximity to Regional Center/Premium Transit Corridor
The subject property is not located within a Regional Center or within a half mile of a Premium Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff recommends Approval. Zoning Commission (10-1) recommends Denial.

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 North Central Community Plan and is currently designated as "Low Density Residential" in the future land use component of the plan. The requested "R-4" base zoning district, is consistent with the adopted land use.

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 proposed "R-4" is consistent with the development pattern and established single-family uses. By maintaining the "R-4" base district further commercial encroachment is restricted within the neighborhood and the block.

3. Suitability as Presently Zoned:
The existing "R-4" Single-Family Residential base zoning is an appropriate zoning district for the surrounding area. The requested "R-4" maintains the base zoning district. The proposed "CD" Conditional Use allows consideration of a Professional Office in addition to use as a single-family residence.

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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the North Central Community Plan.

North Central Community Plan Goals and Objectives:
GOAL 2: Encourage the establishment of neighborhood-friendly businesses along the commercial corridors that promote pedestrian accessibility.

GOAL 3: Maintain and preserve the quality of the existing residential and commercial properties through the encouragement of rehabilitation and code compliance.

GOAL 5: Promote future development that is compatible with existing neighborhoods and that incorporates sound storm water management practices.

6. Size of Tract:
The subject property is 0.1435 acres, adequately supports a single-family residence and professional office.

7. Other Factors:
The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant seeks to rezone for a professional office, associated with the nearby Panchito's Restaurant.

The following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council:

A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.