



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-5269  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 9/17/2020  
**Title:** ZONING CASE Z-2020-10700160 (Council District 2): Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "R-2 AHOD" Residential Single-Family Airport Hazard Overlay District on the north 47 feet of Lot 31 and Lot 32, Block 53, NCB 1626, located at 1205 South Olive Street. Staff and Zoning Commission recommend Approval.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2020-09-17-0672

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:** Zoning Case Z2020-10700160

### SUMMARY:

**Current Zoning:** "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "R-2 AHOD" Residential Single-Family Airport Hazard Overlay District

### BACKGROUND INFORMATION:

**Zoning Commission Hearing Date:** August 18, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Jose Sepulveda

**Applicant:** Jose Sepulveda

**Representative:** Jose Sepulveda

**Location:** 1205 South Olive Street

**Legal Description:** The north 47 feet of Lot 31 and Lot 32, Block 53, NCB 1626

**Total Acreage:** 0.0507 acres

**Notices Mailed**

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

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is within the original 36 square miles of the city and was originally zoned "J" Commercial District. The property was rezoned to "B-3R" Restrictive Business District by Ordinance 79329, dated December 16, 1993. The previous "B-3R" Restrictive Business District converted to the current "C-3R" in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001.

**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:** "C-3R"

**Current Land Uses:** Restaurant, single-family dwelling

**Direction:** East

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

**Current Land Uses:** Vacant, single-family dwelling

**Direction:** South

**Current Base Zoning:** "C-3R" and "RM-4"

**Current Land Uses:** Single-family dwelling

**Direction:** West

**Current Base Zoning:** "C-3R" and "RM-4"

**Current Land Uses:** Vacant church, multi-family units

**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:** Olive Street

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Aransas Avenue

**Existing Character:** Collector

**Proposed Changes:** None

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

**Routes:** 28, 30, 32, 230

**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 single-family dwelling unit is one space.

**ISSUE:** None.

### **ALTERNATIVES:**

**Current:** The current "C-3R" General Commercial Restrictive Alcohol Sales District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

**Proposed:** The proposed "R-2" Residential Single-Family District is designed to provide options for developing dwelling units for specialized housing markets such as the affordable housing market, starter homes, and empty nester homes on small lots. These districts will provide areas for medium to high-density, single-family residential uses where adequate public facilities and services exist, prevent the overcrowding of land, and facilitate the adequate provision of transportation. The "R-3", "R-2," and "R-1" (residential single-family) zoning districts are designed to be in close proximity to schools, public parks, and open space serving the site. "R-3", "R-2," and "R-1" zoning districts are inappropriate for "enclave subdivisions" and are not permitted.

**FISCAL IMPACT:** None.

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

The property is not within a regional center or a premium transit corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval.

**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 Arena District Community Plan and is currently designated as "Medium Density Residential." The requested "R-2" is consistent with the future land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change

request. The proposed rezoning is a downzone to a single-family zoning district for development of a home.

**3. Suitability as Presently Zoned:**

The current "C-3R" General Commercial Restrictive Alcohol Sales District is not an appropriate zoning for the property and surrounding area. The proposed "R-2" is more fitting for the small lot and surrounding residential land uses.

**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 Arena District Community Plan:

Goal 1.1- New home construction

Goal 2.1- Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations

Goal 4.1- Conserve existing neighborhoods

**6. Size of Tract:**

The subject property is 0.0507 acres, which could reasonably accommodate a single-family dwelling.

**7. Other Factors:**

None.