



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1529

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**Agenda Item Number:** 20.

**Agenda Date:** 2/6/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2018051

(Associated Plan Amendment 18013)

**SUMMARY:**

**Current Zoning:** "MF-33 S AHOD" Multi-Family Airport Hazard Overlay District with a Specific Use Authorization for a Daycare Center and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "C-2 AHOD" Commercial 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.

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Michael Arch

**Applicant:** Michael Arch

**Representative:** Michael Arch

**Location:** 422 Pennystone Avenue

**Legal Description:** Lot 2 and the East 55 feet of Lot 1, Block 13, NCB 10139

**Total Acreage:** 2.8696

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association  
**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on December 12, 1950, established by Ordinance 13075. The majority of the property was zoned “R-2A” Two and Three Family Residence District, established by Ordinance 62330, dated February 13, 1986. The current “RM-4” Residential Mixed District converted upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001). A small portion of the property was zoned “D” Apartment District and changed to “R-3” Multiple-Family Residence District, Special Request for a day care center caring for over twenty (20) children, established by Ordinance 58194, dated January 26, 1984. The current “MF-33S” Multi-Family District with Specific Use Authorization for a Daycare Center was converted from the previous “R-3” upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Apartment homes

**Direction:** East

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Apartment homes

**Direction:** South

**Current Base Zoning:** I-1, RM-4

**Current Land Uses:** Vacant Lot, U.S. Post Office, Apartment Homes

**Direction:** West

**Current Base Zoning:** O-2

**Current Land Uses:** Office

**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:** Clark Avenue

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Pennystone Avenue

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA Bus Routes 34, 232, and 515 are within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Self-Service Storage requires a minimum of four (4) parking spaces plus two (2) for manager's quarters and has no maximum.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The "RM-4" base zoning district permits single-family dwellings (detached, attached or townhouse), two-family dwellings, three-family dwellings, four-family dwellings, row-house or zero-lot line dwellings, accessory dwellings, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools. The "MF-33" base zoning district permits multi-family dwellings, single-family dwellings (detached, attached or townhouse), two-family dwellings, three-family dwellings, four-family dwellings, row-house or zero-lot line dwellings, with a maximum density of 33 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is neither within a Regional Center nor within a half (½)-mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff 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 Highlands Community Plan and is currently designated as "Medium Density Residential" in the land use component of the plan. The requested "C-2" base zoning district is not consistent with the adopted land use designation. The applicant is requesting a Plan Amendment to "Community Commercial." Staff recommends Denial of the amendment. Planning Commission recommendation pending February 14, 2018 hearing.

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

Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. While the area is predominately residential, there are some office uses to the west and south of the property on corner lots along Clark Avenue.

**3. Suitability as Presently Zoned:**

The subject property is currently zoned "RM-4" and "MF-33." The existing "RM-4" base zoning district is appropriate for the surrounding area since there are apartment homes to the north and east of the subject property. The existing "MF-33" base zoning district is not appropriate for the surrounding area. The density of thirty-three (33) units/acre would be too dense for the surrounding area. Additionally, there would be

development constraints for the “MF-33” as the lot size for this designation is limited.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. While the proposed use of a mini storage facility may not be too intense for the subject property, there are uses permitted in the “C-2” base zoning district that would not be appropriate for the neighborhood. A commercial use is too intense to allow encroachment into a single-family residential neighborhood.

**5. Public Policy:**

The request does appear to conflict with any public policy objective. The applicant has to request a plan amendment in addition to the zoning change because the future land use designation is not in conformance with the request.

**6. Size of Tract:**

The 2.8696 acre site is of sufficient size to accommodate the proposed development of a self-service storage facility. There is currently a concrete slab on the property which the applicant intends to utilize.

**7. Other Factors:**

None.