



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-4168

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/18/2016

**Title:** ZONING CASE # Z2016192 (Council District 3): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 4, Block 2, NCB 7342, located at 614 Fair Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-192\_Location Map, 2. Z2016192 ZC Minutes, 3. Draft Ordinance, 4. Ordinance 2016-08-18-0629

Date	Ver.	Action By	Action	Result
8/18/2016	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2016192

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 19, 2016

**Case Manager:** Mary Moralez-Gonzales, Planner

**Property Owner:** The John Berchleemann Shelter Trust

**Applicant:** John Berchleemann Jr.

**Representative:** John Berchleemann Jr.

**Location:** 614 Fair Avenue

**Legal Description:** Lot 4, Block 2, NCB 7342

**Total Acreage:** 0.148

**Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** Highland Hills and Highland Park Neighborhood Associations

**Applicable Agencies:** San Antonio Aviation Department

**Property Details**

**Property History:** The subject property was within original City of San Antonio boundary in 1938 and was originally zoned "B" Residence District. Upon adoption of the 2001 Unified Development Code, the zoning converted to the current "R-4" Single-Family Residential District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4, C-2

**Current Land Uses:** Single-Family Residential, Duplex Homes and Retail Center

**Direction:** South

**Current Base Zoning:** R-4

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

**Direction:** East

**Current Base Zoning:** C-3NA, R-4

**Current Land Uses:** Vacant Commercial, Duplexes

**Direction:** West

**Current Base Zoning:** C-1, C-2, C-3

**Current Land Uses:** Office Building, Restaurant, Brake Repair Shop

**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:** Fair Avenue

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None known

**Public Transit:** VIA bus route #20 stops at Fair Avenue and New Braunfels Avenue east of the subject property.

**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:** Not applicable. The applicant proposes to build a non-commercial parking lot to serve the customers of the existing dental office on the neighboring parcel to the west.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present “R-4” base zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 Highlands Community Plan and is currently designated as Regional Commercial in the future land use component of the plan. The proposed zoning request of “C-2” is consistent with the current future land use classification.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed zoning request is in character with the surrounding development in the area and also will improve the currently vacant lot.

**3. Suitability as Presently Zoned:**

The current “R-4” base zoning district is not appropriate for subject property and is not consistent with the adopted future land use plan. The subject property is undeveloped and the proposed zoning request will provide a buffer between the nearby two-dwelling unit residential uses to the east and the dental office and fast food restaurant to the west of the subject property.

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

Staff has found no indication of likely adverse effects on the public health, safety or welfare. The request will improve parking conditions at the neighboring property which is a dental office with a very small parking lot in the front of the building.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The proposed zoning request meets the Highlands Community Plan’s objective of improving vacant, deteriorated properties.

**6. Size of Tract:**

The subject property measures 0.148 acres and is sufficient to accommodate the proposed non-commercial parking lot.

**7. Other Factors:**

None.