



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-4293

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/17/2017

**Title:** ZONING CASE # Z2017182 CD (Council District 3): An 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 3 dwelling units on the East 62.25 Feet of Lot 5, NCB 7863, located at 440 West Harlan Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Site Plan, 2. Location Map, 3. Zoning Minutes, 4. Draft Ordinance.pdf, 5. Ordinance 2017-08-17-0590

Date	Ver.	Action By	Action	Result
8/17/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2017182 CD

**SUMMARY:**

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

**Requested Zoning:** "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for 3 dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 18, 2017

**Case Manager:** Erica Greene, Planner

**Property Owner:** Jose and Maria Viramontes

**Applicant:** Jose and Maria Viramontes

**Representative:** Claudia Viramontes

**Location:** 440 West Harlan Avenue

**Legal Description:** East 62.25 Feet of Lot 5, NCB 7863

**Total Acreage:** 0.4967

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City and was previously zoned "J" Commercial District. A 1996 case, Ordinance #84398 zoned the subject property as "R-1" Single-Family Residential District. Upon adoption of the 2001 Unified Development Code, the previous base zoning 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 inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** UZROW

**Current Land Uses:** Drainage, Harlan Avenue

**Direction:** West

**Current Base Zoning:** R-6

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

**Direction:** South

**Current Base Zoning:** R-6

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** R-6

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

**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:** West Harlan Avenue

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** VIA bus route #10 is within walking distance 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:** Dwelling: 3 Family requires a minimum of 1.5 per unit and a maximum of 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning.

**FISCAL IMPACT:**

None.

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

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

**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 property is located within the South Central Community Plan, and is currently designated as Low Density Residential in the future land use component of the plan. The requested "R-6" Single-Family Residential base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested zoning change to allow for three houses blends in with the surrounding residential zoned properties in the area, which includes a lot depth that conceals two of the three houses from street view.

**3. Suitability as Presently Zoned:**

The current "R-6" base zoning district is appropriate for the subject property's location. The requested conditional use for three houses is consistent with surrounding uses and zoning. The surrounding properties to the east, south, and west are vacant residentially zoned properties.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The surrounding land uses include residential single-family properties. The requested zoning change to allow for three houses for residential uses will fit in with the surrounding land uses.

**5. Public Policy:**

The rezoning request does not appear to conflict with land use goals and strategies of the South Central Community Plan that encourage patterns of development that provide the full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.

**6. Size of Tract:**

The subject property totals 0.4967 acres in size, which should reasonably accommodate the uses permitted in "R-6 CD" Residential Single-Family District with Conditional Use for 3 dwelling units.

**7. Other Factors:**

The purpose of the Conditional Use is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may under the right set of circumstances and conditions be acceptable in certain specific locations.