



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5243

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/5/2017

**Title:** ZONING CASE # Z2017226 S (Council District 2): An Ordinance amending the Zoning District Boundary from "R-6 IH-1 AHOD" Residential Single-Family Northeast Gateway Corridor Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 S IH-1 AHOD" Residential Single-Family Northeast Gateway Corridor Airport Hazard Overlay District with a Specific Use Authorization for an Urban Farm and "R-6 S AHOD" Residential Single-Family Airport Hazard Overlay District with a Specific Use Authorization for an Urban Farm on 3.147 acres out of NCB 13767 and 13806, located at 402 Earlyway and 307 Overlook Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. 17-5243\_Z2017226 S Draft Ordinance, 5. Z2017226 MBs, 6. Ordinance 2017-10-05-0771

Date	Ver.	Action By	Action	Result
10/5/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2017226 S

**SUMMARY:**

**Current Zoning:** "R-6 IH-1 AHOD" Residential Single-Family Northeast Gateway Corridor Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-6 S IH-1 AHOD" Residential Single-Family Northeast Gateway Corridor Airport Hazard Overlay District with a Specific Use Authorization for an Urban Farm and "R-6 S AHOD" Residential Single-Family Airport Hazard Overlay District with a Specific Use Authorization for an Urban Farm

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 5, 2017

**Case Manager:** Angela Cardona, Planner

**Property Owner:** David McArdle

**Applicant:** David McArdle

**Representative:** David McArdle

**Location:** 402 Earlyway Drive and 307 Overlook Road

**Legal Description:** 3.147 acres out of NCB 13767 and 13806

**Total Acreage:** 3.147

**Notices Mailed**

**Owners of Property within 200 feet:** 42

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

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject properties were annexed on December 17, 1964 and were zoned “Temp A” (Ordinance 32674). Upon adoption of the Unified Development Code on May 4, 2001(Ordinance 93881), the property 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:** “MH”, “R-6”

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** “R-6”

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** “R-5”

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** “R-6”

**Current Land Uses:** 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.

The Northeast Gateway Corridor District (“IH-1”) provides site development standards for commercial properties up to 1,000 feet of Interstate 35 between Walzem Road and the northern City Limits. The standards primarily address building placement, landscaping, building materials, façade design and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the

Development Services Department.

**Transportation**

**Thoroughfare:** Earlyway Drive

**Existing Character:** Local Street

**Proposed Changes:** None

**Thoroughfare:** Moonlight Terrace

**Existing Character:** Local Street

**Proposed Changes:** None

**Thoroughfare:** Overlook Road

**Existing Character:** Local Street

**Proposed Changes:** None

**Thoroughfare:** Suddith

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus route is #9 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:** Parking requirements are determined by use: Dwelling- 2 Family- Minimum vehicle spaces: 1 per unit. Maximum vehicle spaces: 2 per unit.

**ISSUE:**

None

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-6” Residential Single-Family District allows single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet. Other permitted uses are foster family home and public/private schools.

**FISCAL IMPACT:**

None.

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

The subject property is within the Northeast Gateway Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 currently not located within any adopted land use plan and has no land use classification. Therefore a finding of consistency is not required. However, staff finds the requested zoning change is consistent with the existing development pattern of multi-family uses.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change because the request is consistent with the base zoning districts of the surrounding properties.

**3. Suitability as Presently Zoned:**

The current “R-6” base zoning district is appropriate for the surrounding area. The subject property is bounded by residential uses.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The request for zoning would provide an appropriate use for this underused, vacant lot.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. An urban farm is best when developed on a vacant lot situated in an established neighborhood.

**6. Size of Tract:**

The subject property measures 3.147 acres which should reasonably accommodate the uses permitted in the “R-6” Residential Single Family District.

**7. Other Factors:**

The purpose of the Specific Use Authorization 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 may, under the right set of circumstances and conditions be acceptable in certain specific locations.