



# City of San Antonio

## Agenda Memorandum

**File Number:** 13-1313

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**Agenda Item Number:** Z-3.

**Agenda Date:** 1/16/2014

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 1

**SUBJECT:**

Zoning Case Z2014030 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 a Conditional Use for a Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 03, 2013

**Case Manager:** Krystin Ramirez, Planner Technician

**Property Owner:** Michael A. Rodriguez

**Applicant:** Michael A. Rodriguez

**Representative:** Michael A. Rodriguez

**Location:** 341 University

**Legal Description:** Lot 13, Block 1, NCB 3165

**Total Acreage:** 0.1702

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Neighborhood Associations:** None

**Planning Team Members:** 11 - Midtown Neighborhoods Plan

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the city limits as established in 1938, and was originally zoned under the 1938 zoning code. In a 1997 case, property was rezoned to “R-1” Single Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “R-6” Residential Single-Family District. The existing residential structure measures approximately 952 square feet and was built in 1921.

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

**Adjacent Zoning and Land Uses**

**Direction:** North, East and South

**Current Base Zoning:** “R-6”

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

**Direction:** West

**Current Base Zoning:** None

**Current Land Uses:** Railroad Right-of-Way and Interstate Highway 10

**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:** Interstate Highway 10

**Existing Character:** Freeway; split-level with five total lanes in each direction and two-lane one-way access roads.

**Proposed Changes:** None known

**Thoroughfare:** University, Kensington Avenue and Cincinnati Avenue

**Existing Character:** Local streets; one lane in each direction with partial sidewalks

**Proposed Changes:** None known

**Public Transit:** There are no VIA bus lines in the immediate vicinity of the subject property. The nearest VIA bus lines operate along Fredericksburg Road, east 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:** Profession Office - Minimum Parking Requirement: 1 space per 300 square feet of Gross Floor Area (GFA). Maximum Parking Requirement: 1 space per 140 square feet of GFA.

The requisite Conditional Use site plan shows 4 parking spaces, meeting the minimum parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current residential zoning classification, prohibiting the proposed Conditional Use for a Professional Office.

**FISCAL IMPACT:**

None. The zoning request is eligible for the Inner City Reinvestment Infill Policy fee waiver. The Development Services Department fees will be reimbursed through grant funding.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend approval with conditions.

**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 Midtown Neighborhoods Plan and is currently designated as Low Density Residential in the future land use component of the plan. The requested “R-6” base zoning district is consistent with the adopted 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 and finds the requested zoning to be appropriate because of the subject property’s location at the periphery of the neighborhood and in close proximity to an interstate and railroad right-of-way.

**3. Suitability as Presently Zoned:**

The “R-6” base zoning district is appropriate for the subject property; however establishment of a new residential use may be unlikely due to the property’s location near IH-10.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is 0.1702 acres in size, which should reasonably accommodate the proposed conditional use. The size of the property and adherence to the site plan will serve to limit the scale and intensity of the proposed office use.

**7. Other Factors:**

Per Section 35-422(e)(3), the following conditions shall apply to the operation of a nonresidential conditional use within any residential district, unless otherwise approved by the city council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.

In addition, conversion of a residential structure into a commercial use may impose additional city code requirements including but not limited to the building code, electric code and/or fire code.

