



# City of San Antonio

## Agenda Memorandum

**File Number:** 18-4479

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

**Agenda Date:** 8/16/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018218 CD

**SUMMARY:**

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

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 17, 2018

**Case Manager:** Angela Cardona, Planner

**Property Owner:** George and Kathleen Gisin

**Applicant:** Jose Brambila

**Representative:** Joseph M. Smith

**Location:** 703 East Ashby Place

**Legal Description:** 0.23 acres out of NCB 3053

**Total Acreage:** 0.23

**Notices Mailed**

**Owners of Property within 200 feet:** 34

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association

**Applicable Agencies:** Fort Sam Houston

## **Property Details**

**Property History:** The subject property falls within the original 36 square miles of the City and was zoned “B” Residential District. The property was rezoned to “R-1” Single-Family Residential District on December 14, 1995 (Ordinance 83331) which then converted to the current “R-6” Residential Single-Family District upon adoption of the Unified Development Code on May 3, 2001 (Ordinance 93881).

**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-6” and “C-3”

**Current Land Uses:** School

**Direction:** South

**Current Base Zoning:** “R-6”

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

**Direction:** East

**Current Base Zoning:** “RM-4” “R-6”

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

**Direction:** West

**Current Base Zoning:** “R-6”

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

**Overlay and Special District Information:** The subject property is located within the “AHOD” Airport Hazard Overlay District. The “AHOD” does not restrict permitted uses, but may require additional review by both the Federal Aviation Administration and Development Services Department.

## **Transportation**

**Thoroughfare:** East Ashby Place

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** North St. Mary’s Street

**Existing Character:** Collector

**Proposed Changes:** None Known

**Public Transit:** The nearest VIA bus route is the #8 and #11 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:** Parking requirements are determined by use: Residential uses require a Minimum vehicle spaces: 1 per dwelling unit and Maximum vehicle spaces: 2 per dwelling unit.

## **ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. The current “R-6” allows for Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property falls within the Midtown Regional Center and is within proximity to a New Braunfels Avenue Premium Transit 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 property is located within the Lavaca Neighborhood Plan and is currently designated “Low Density Residential”. The requested “R-4” base zoning district is consistent with the current land use designation.

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

Staff finds no evidence of likely adverse impacts on the neighboring land in relation to the zoning change request as it is consistent with the existing development pattern.

**3. Suitability as Presently Zoned:**

The current “R-6” base zoning is suitable for surrounding area as is the requested “R-4” base zoning district.

**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 rezoning request does not appear to conflict with land use goals and strategies of the Lavaca Neighborhood to maintain the existing character of the historic residential buildings and encourage compatible infill housing within the neighborhood.

**6. Size of Tract:**

The subject property totals 0.23 acres in size, which could reasonably accommodate the uses permitted in the current base zoning district.

**7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

Applicant is seeking rezoning to allow for a duplex on the back portion of the lot with an existing single-family dwelling unit. The requested “R-4” base zoning district will be suitable should the applicant replat into two

lots.