



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-5072

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**Agenda Item Number:** Z-1.

**Agenda Date:** 10/15/2015

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2015261 CD

**SUMMARY:**

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

**Requested Zoning:** "R-6 CD H AHOD" Residential Single-Family Government Hill Historic Airport Hazard Overlay District with Conditional Use for Four (4) Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 15, 2015. This case is continued from the September 1, 2015 hearing.

**Case Manager:** Logan Sparrow, Senior Planner

**Property Owner:** Mercury Rock

**Applicant:** Don Shin

**Representative:** Don Shin

**Location:** 630 East Carson Street

**Legal Description:** East 13.8 of North 118.5 of Lot 7 and North 118.5 of Lot 8 OR 7A & 8A, Block 3, NCB 1264

**Total Acreage:** 0.2032

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association.

**Planning Team:** Government Hill Alliance Planning Team - 10

**Applicable Agencies:** None.

### **Property Details**

**Property History:** The subject property was rezoned from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District, following the adoption of Ordinance 2010-11-04-0971, dated November 04, 2010 as part of a large-area rezoning for the Government Hill community.

**Topography:** There are no unique topographical conditions present on the subject property. The subject property is not contained within a 100 year floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

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

**Direction:** East

**Current Base Zoning:** R-6

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

**Direction:** South

**Current Base Zoning:** R-6

**Current Land Uses:** Duplex

**Direction:** West

**Current Base Zoning:** R-6

**Current Land Uses:** Duplex

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

The subject property is also located in the “H” Government Hill Historic District. The “H” does not restrict permitted uses, but any exterior modifications will need to be submitted for review to the Office of Historic Preservation, and be considered by the Historic Design and Review Commission.

### **Transportation**

**Thoroughfare:** East Carson Street

**Existing Character:** Collector, one lane in each direction with sidewalks

**Proposed Changes:** None known.

**Thoroughfare:** North Palmetto Street

**Existing Character:** Local, one lane in each direction with sidewalks

**Proposed Changes:** None known.

**Public Transit:** VIA bus route 20 operates at the intersection of East Carson Street and North Palmetto Street.

**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:** The use of a multi-family apartment requires a minimum of one and a half (1.5) parking spaces per unit or a maximum of two (2) parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the zone change request will result in the subject property retaining its current "R-6 H AHOD" Residential Single-Family Government Hill Historic Airport Hazard Overlay District zoning.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission recommends Denial (6-0).

**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 Government Hill Future Land Use Plan and is currently designated Low-Density Residential in the future land use component of the plan. The requested "R-6 CD" Residential Single Family base zoning district is consistent with the future land use plan.

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

Staff finds that "R-6 CD" Residential Single-Family with Conditional Use for four (4) dwelling units is consistent with the established development pattern within the community, including other medium density uses.

**3. Suitability as Presently Zoned:**

The current "R-6" Residential Single-Family base zoning district is appropriate for the surrounding area.

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

Staff has not found any indication of likely adverse effects on the health, safety, or welfare related to a zone change request of "R-6 CD H AHOD" Residential Single-Family Government Hill Historic Airport Hazard Overlay District.

**5. Public Policy:**

As the "R-6 CD" Residential Single-Family with Conditional Use for four (4) dwelling units is consistent with the Government Hill Future Land Use Plan, staff finds that it is not in conflict with any stated public policy objective.

**6. Size of Tract:**

The 0.2032 acre tract of land is a sufficient size for the project.

**7. Other Factors:**

The subject property lost its non-conforming use rights after its use as a multi-family dwelling ceased for more than twelve months.

The Conditional Use zoning procedure is designed to provide for a land use within an area 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. The granting of conditional zoning shall only be for the conditional use names in the ordinance approving the Conditional Use zoning district provisions.