



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1489

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/7/2014

**Title:** ZONING CASE # Z2014169 (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District on the west 50 feet of Lot 2, Block 2, NCB 3730 located on a portion of the 100 Block of Custer. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Commission Minutes, 3. Ordinance 2014-08-07-0558

Date	Ver.	Action By	Action	Result
8/7/2014	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 5

**SUBJECT:**

Zoning Case Z2014169

**SUMMARY:**

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

**Requested Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 17, 2014

**Case Manager:** Tony Felts, Planner

**Property Owner:** Richard M. Polendo

**Applicant:** Richard M. Polendo

**Representative:** Richard M. Polendo

**Location:** A portion of the 100 Block of Custer

**Legal Description:** The west 50 feet of Lot 2, Block 2, NCB 3730

**Total Acreage:** 0.1217

**Notices Mailed**

**Owners of Property within 200 feet:** 30

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

**Planning Team:** South Central San Antonio Community Plan - 15

**Applicable Agencies:** None

**Property Details**

**Property History:** The property is located within the City Limits as they were recognized in 1938 and was originally zoned "C" Apartment District. In a 1996 case, the 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 property is a portion of a platted lot; the lot was platted in 1909. The property is currently undeveloped.

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

**Adjacent Zoning and Land Uses**

**Direction:** North, South, East, West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residences, Vacant Land

**Overlay and Special District Information:** The subject property and 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:** Custer, Weinberg, Orange, Foylyn, Wellington

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

**Proposed Changes:** None known

**Public Transit:** There are no VIA bus lines in the vicinity 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:** The application refers to the construction of a single-family residence. A minimum of 1 space per unit is required; there is no maximum amount of parking.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current "R-6" zoning classification, which will prevent the lot from being platted and utilized for the construction of a single-family home.

**FISCAL IMPACT:**

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

**RECOMMENDATION:**

Staff and Zoning Commission (7-0) 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 located within the South Central San Antonio Community Plan and is designated as Low Density Residential in the future land use component of the plan. The requested “R-5” base zoning district is consistent with the future land use component of the plan.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The area around the property is primarily single-family residences, and the proposed development on the subject property is a single-family residence.

**3. Suitability as Presently Zoned:**

Both the current “R-6” and the proposed “R-5” zoning are appropriate for the subject property, as the uses allowed in both zones are identical. The request for rezoning is due to the minimum lot size requirements for the “R-6” zoning district versus the minimum lot size requirements for the “R-5” zoning district. There are lots of varying size in the vicinity, including lots that would not currently meet the 6,000 square-foot.

**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 0.1217 acres (or roughly 5,301 square feet) in size, which should reasonably accommodate the uses permitted in the “R-5” base zoning district and required parking, as well as meet the minimum lot size requirements for a newly-platted lot in an “R-5” base zoning district.

**7. Other Factors:**

The purpose of this application is to rezone the property to reduce the minimum lot size in order to allow a new lot to be platted from a portion of an existing lot. The proposed lot does not qualify for any of the plat exceptions outlined in Article IV of the UDC. The proposed use of the lot as a single-family residence would be allowed in both the current “R-6” zoning district and the requested “R-5” zoning district.