



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-1525

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/18/2016

**Title:** ZONING CASE # Z2016044 (Council District 3): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lots 2, 11, 12, 17, 19, 22, 24, 26, 27-31, 33-36, Block 1, NCB 12509, Lots 4-6, 8-10, 15-21, 23 Block 2, NCB 12509, Lots 1, 3, 6-10, 12-16, 18-23, 25, Block 3, NCB 12509, Lots 2, 5-9, 12, 13-16, 18-19, 21, Block 4, NCB 12509, Lots 1-2, 5-14, 16-18, 20, 26-28, Block 5, NCB 12509, Lots 1-11, 14-15, Block 6, NCB 12509 and Lots 1-2, 4-6, 8-9, Block 8, NCB 12509 located at Southeast Loop 410 at Walhalla Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16013)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-044 Location Map, 2. Z2016044 Zoning Minutes, 3. DRAFT Ordinance, 4. Ordinance 2016-02-18-0132

Date	Ver.	Action By	Action	Result
2/18/2016	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2016044

(Associated Plan Amendment 16013)

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 19, 2016

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** KB Home Lone Star Acquisitions, LO (c/o KBSA, Inc. General Partner)

**Applicant:** KB Home Lone Star Acquisitions, LO (c/o KBSA, Inc. General Partner)

**Representative:** Brown & Ortiz, PC (c/o Daniel Ortiz)

**Location:** Various addresses, generally located in the 9800 Block of Walhalla Avenue, near the intersection at Southeast Loop 410 and Walhalla Avenue.

**Legal Description:**

NCB 12509, Block 1, Lots 2, 11, 12, 17, 19, 22, 24, 26, 27-31, 33-36  
NCB 12509, Block 2, Lots 4-6, 8-10, 15-21, 23  
NCB 12509, Block 3, Lots 1, 3, 6-10, 12-16, 18-23, 25  
NCB 12509, Block 4, Lots 2, 5-9, 12, 13-16, 18-19, 21  
NCB 12509, Block 5, Lots 1-2, 5-14, 16-18, 20, 26-28  
NCB 12509, Block 6, Lots 1-11, 14-15  
NCB 12509, Block 8, Lots 1-2, 4-6, 8-9

**Total Acreage:** 10.4512

**Notices Mailed**

**Owners of Property within 200 feet:** 218

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

**Applicable Agencies:** San Antonio Aviation Department

**Property Details**

**Property History:** The subject property was annexed in 1952 and was originally zoned "B" Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the "R-4" Residential Single-Family District. The properties were platted in 2013, Plat #050516, located in Volume 9654, Page 153-154 of the Bexar County Clerk Records.

**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:** R-4

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

**Direction:** South

**Current Base Zoning:** R-4, C-2

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

**Direction:** East

**Current Base Zoning:** MF-33, R-4

**Current Land Uses:** Vacant Land

**Direction:** West

**Current Base Zoning:** R-6, R-6 CD, C-2NA

**Current Land Uses:** Vacant, Single-Family Residential, Nursery & Greenhouse

**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:** Southeast Loop 410

**Existing Character:** Freeway

**Proposed Changes:** None known

**Thoroughfare:** Walhalla Avenue

**Existing Character:** Local Road

**Proposed Changes:** None known

**Public Transit:** VIA bus route 44 travels along Moursand Road approximately one block to the east.

**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:** Off-street vehicle parking requirements for single-family residential uses are determined by the total number of dwelling units. Minimum Requirement: 1 spaces per unit. Maximum Requirement: N/A

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the “R-4” Single-Family Residential District designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval, pending Plan Amendment.

**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 Stinson Airport Vicinity Land Use Plan and the current future land use classification is Community Commercial. The applicant proposes to change the zoning to “RM-4” Mixed Residential District which is not consistent with Community Commercial. The applicant has requested a Plan Amendment to change the land use to Medium Density Residential. Staff and Planning Commission recommended approval of the Plan Amendment.

**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.

**3. Suitability as Presently Zoned:**

Surrounding lots are developed with single-family residences. The proposed zoning request is consistent with the surrounding land uses. The current base zoning is also suitable for the subject properties; however, the proposed zoning change will allow the rear yard setback to be less restrictive, allowing a larger building footprint and a larger single-family residence.

**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 applicant proposes to change the zoning to “RM-4” Mixed Residential District which has less intense setback requirements so that the lots may be developed in a manner that will provide the option of building more spacious affordable single-family residences. This will meet the Plan’s goal of protecting the integrity of existing residential neighborhoods.

**6. Size of Tract:**

The size of the properties is sufficient for the proposed request.

**7. Other Factors:**

The applicant applied to the Board of Adjustment to request a variance to reduce the rear-yard setback for the subject properties. After the request was denied by the Board of Adjustment, staff worked with the applicant on the options to accommodate the proposed development that would allow less restrictive setback requirements.