



# City of San Antonio

## Legislation Details (With Text)

<b>File #:</b>	16-1883
<b>Type:</b>	Zoning Case
<b>In control:</b>	City Council A Session
<b>On agenda:</b>	4/7/2016
<b>Title:</b>	ZONING CASE # Z2016062 (Council District 6): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-5 AHOD" Residential-Mixed Airport Hazard Overlay District on Lot 18, Block 14, NCB 8988 located at 718 Southwest 41st Street. Staff and Zoning Commission recommend Denial.
<b>Sponsors:</b>	
<b>Indexes:</b>	
<b>Code sections:</b>	
<b>Attachments:</b>	1. Z2016062 Location Map, 2. Z2016062 zoning minutes, 3. Draft Ordinance

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**  
Zoning Case Z2016062

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

**Requested Zoning:** "RM-5 AHOD" Residential Mixed Airport Hazard Overlay District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** February 16, 2016. This case is continued from the February 2, 2016 hearing.

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** Felicita Avila

**Applicant:** Dominita A. Mireles

**Representative:** Dominita A. Mireles

**Location:** 718 Southwest 41<sup>st</sup> Street

**Legal Description:** Lot 18, Block 14, NCB 8988

**Total Acreage:** 0.203

**Notices Mailed**

**Owners of Property within 200 feet:** 37

**Registered Neighborhood Associations within 200 feet:** Community Workers Council Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The property was annexed into the City Limits on 10/12/1944 (ordinance 1418) and was originally zoned "R-7" Small Lot Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "R-4" Single-Family Residential.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4

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

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Homes.

**Direction:** South

**Current Base Zoning:** R-5

**Current Land Uses:** Single-Family Homes.

**Direction:** West

**Current Base Zoning:** R-4, R-5 and C-2NA CD

**Current Land Uses:** Single-Family Homes and Auto Repair Business.

**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:** 41<sup>st</sup> Street, one lane in each direction with sidewalks

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** VIA bus route 76 at the corner of 41<sup>st</sup> Street and Old US 90 Highway.

**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:** Dwellings - 3 family - Minimum requirement: 1.5 spaces per unit. Maximum: 2 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Denial.

**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 West / Southwest Sector Plan and is designated as General Urban Tier. The proposed "RM-5" is consistent with the adopted land use designation. However, the increase of density will be out of character with the existing subdivision. The subdivision character consists of single-family lots.

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

Staff has found evidence of a negative adverse impact on neighboring lands in relation to this zoning change request. The change of zoning will increase the density and will be out of character for the neighborhood.

**3. Suitability as Presently Zoned:**

The current zoning is "R-4". The proposed "RM-5" is not consistent with surrounding zoning uses. The proposed uses will change the neighborhood character of the existing subdivision by increasing the density. The subdivision is comprised primarily of single-family lots.

**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 measures 0.203 acres in size and is sufficient to accommodate the proposed zoning request.

**7. Other Factors:**

None.

