



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-1694

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 2/21/2017

**Title:** ZONING CASE # Z2017055 (Council District 1): A request for a change in zoning from "R-6 NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "MF-33 NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "RM-6 NCD-2 AHOD" Residential Mixed Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "R-6 NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District on Lot 4 and W 16.67 FT OF 5 and N 10.08 FT of Alley, Block 25, NCB 1833; Lot 3 and N 10.850 FT of Alley, Block 25, NCB 1833, located at 424 West Magnolia Avenue and 430 West Magnolia Avenue. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2017055 Location Map

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**  
Zoning Case Z2017055

**SUMMARY:**  
**Current Zoning:** "R-6 NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "MF-33 NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "RM-6 NCD-2 AHOD" Residential Mixed Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "R-6 NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** February 21, 2017

**Case Manager:** Erica Greene, Planner

**Property Owner:** D'Lynne Morin

**Applicant:** D'Lynne Morin

**Representative:** D'Lynne Morin

**Location:** 424 West Magnolia Avenue and 430 West Magnolia Avenue

**Legal Description:** Lot 4 & W 16.67 FT OF 5 & N 10.08 FT of Alley, Block 25, NCB 1833; Lot 3 & N 10.850 FT of Alley, Block 25, NCB 1833

**Total Acreage:** 0.3511

**Notices Mailed**

**Owners of Property within 200 feet:** 28

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

**Applicable Agencies:** Department of Planning and Community Development

**Property Details**

**Property History:** The subject property was included in the original 36 square miles of the city and zoned "A" Single-Family Residential District. A 1997 case zoned the subject property as "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 subject property was zoned "C" Apartment District. A 1997 case zoned the subject property previously zoned "R-3" Multiple Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "MF-33" Multi-Family District.

**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:** MF-33, R-6

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

**Direction:** West

**Current Base Zoning:** R-6

**Current Land Uses:** Duplex

**Direction:** South

**Current Base Zoning:** RM-4, R-6

**Current Land Uses:** Duplex, Apartments

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Apartments

**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.

The Alta Vista Neighborhood Conservation District (NCD-2) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** West Magnolia Avenue

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus route is #4 within walking distance 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:** Dwelling: 1 Family requires a minimum of 1 per unit.  
Dwelling: 4 Family requires a minimum of 1.5 per unit and a maximum of 2 per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current "R-6 NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "MF-33 NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District.

### **FISCAL IMPACT:**

None.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Midtown Community Plan, and is currently designated as Medium Density in the future land use component of the plan. The requested "R-6" Residential Single Family base zoning district and "RM-6" Residential Mixed base zoning district are consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

#### **3. Suitability as Presently Zoned:**

The current "R-6" base zoning district is appropriate for the subject property's location, however "MF-33" is

not appropriate because it is not consistent the current land use category. The requested zoning district of “R-6” and “RM-6” base zoning district are appropriate.

**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 Midtown Community Plan to preserve and revitalize the neighborhoods unique mix of quality housing.

**6. Size of Tract:**

The subject property totals 0.3511 acres in size, which should reasonably accommodate the uses permitted in “R-6” Residential Single Family District and “RM-6” Residential Mixed District.

**7. Other Factors:**

The applicant proposes duplexes one the subject properties and the other will remain as a single-family residence. The request to rezone the subject property will make the land uses more compatible with the surrounding neighborhood.