



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-4418

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/17/2017

**Title:** ZONING CASE # Z2017187 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "R-6 NCD-9 AHOD" Residential Single-Family Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District to "R-6 CD NCD-9 AHOD" Residential Single-Family Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for Two Dwelling Units on the West 45 feet of Lot 33, Block 1, NCB 3855, located at 359 Brahan Boulevard. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2017-08-17-0587

Date	Ver.	Action By	Action	Result
8/17/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2017187 CD

**SUMMARY:**

**Current Zoning:** "R-6 NCD-9 AHOD" Residential Single-Family Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "R-5 CD NCD-9 AHOD" Residential Single-Family Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for Two Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 1, 2017. This case was postponed from July 18, 2017.

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Margo Swann

**Applicant:** Dustin Titzman

**Representative:** Dustin Titzman

**Location:** 359 Brahan Boulevard

**Legal Description:** West 45 feet of Lot 33, Block 1, NCB 3855

**Total Acreage:** 0.1715

**Notices Mailed**

**Owners of Property within 200 feet:** 14

**Registered Neighborhood Associations within 200 feet:** Westfort Alliance Neighborhood Association

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

**Property Details**

**Property History:** The subject property was part of the City of San Antonio's Original City Limits and zoned "D" Apartment District. The zoning changed to "R-1" Single Family Residence District by Ordinance 90004, dated June 24, 1999. The current "R-6" Single-Family Residential District resulted from the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** MF-33

**Current Land Uses:** Apartment Complex

**Direction:** East

**Current Base Zoning:** R-6 and MR

**Current Land Uses:** Single-Family Residences and Fort Sam Houston

**Direction:** South

**Current Base Zoning:** RM-4, RM-4 CD

**Current Land Uses:** Duplexes, Four-Family Dwelling, Vacant Lot

**Direction:** West

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Residence, Duplex, Vacant Lot

**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 subject property is also located within the "NCD-9" Westfort Alliance Neighborhood Conservation District. This overlay district is designed to protect residential neighborhoods or commercial districts that are worthy of preservation and protection, but which may lack sufficient historical, architectural, or cultural significance to be designated as historic districts at the present time.

**Transportation**

**Thoroughfare:** Brahan Boulevard  
**Existing Character:** Local Street  
**Proposed Changes:** None known

**Thoroughfare:** North Pine Street  
**Existing Character:** Local Street  
**Proposed Changes:** Street closure south of the Brahan Road Intersection

**Public Transit:** There is a bus stop located on Broadway (Stop #35646), and is within a half-mile of the subject property and less than a ten (10) minute walk. Bus Routes 10, 209, and 9 pass through this bus stop.

**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:** Two Dwelling Units require a minimum of one (1) parking space per unit and a maximum of two (2) parking 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

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**  
The subject property is located within the Midtown Regional Center.  
The subject property is located within a half-mile of a Premium Transit Corridor.

**RECOMMENDATION:**  
**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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 Westfort Alliance Neighborhood Plan and is currently designated as “Urban Low-Density Residential” in the future land use component of the plan. The requested “R-5” base zoning district is consistent with the adopted land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area which includes other duplexes and four-plexes.

**3. Suitability as Presently Zoned:**

The existing “R-6” base zoning district is appropriate for the surrounding area. The subject property is in the

middle of other single-family residential.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The lot is currently vacant and the proposed development is for two (2) two-and-a-half (2 ½)-story dwellings. With the appropriate setbacks there is no indication of likely adverse effects on the surrounding neighborhood.

#### **5. Public Policy:**

The request does not appear to conflict with any public policy objective since it is consistent with the adopted land use plan.

The subject property is located within the Midtown Regional Center and within one-half mile of the Austin Highway Rapid Transit Study Corridor. Additionally, the subject property is within the Westfort Neighborhood Plan, which classifies the subject property and surrounding areas as urban single family residential future land use, described as being composed mainly of single-family dwelling on small, individual lots with a density of 5 to 10 dwelling units per acre. Detached accessory dwelling units such as granny flats, “echo” homes (elder cottage housing opportunity), and garage apartments are allowed when an accessory use is located on the same lot as a principal residence.

Approval of this zoning case is generally consistent with the guiding principles of the Comprehensive Plan and the Westfort Neighborhood Plan.

#### **6. Size of Tract:**

The 0.1715-acre site is of sufficient size to accommodate the proposed development. The property is currently vacant and the site plan shows how the size of the tract is appropriate for the proposed home.

#### **7. Other Factors:**

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 the zoning with Conditional Use shall only be for the zoning case named in the ordinance approving the Zoning District with the specified Conditional Use provisions.