



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5239

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/5/2017

**Title:** ZONING CASE # Z2017221 CD (Council District 5): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for Two Dwelling Units on South 89.8 feet of Lot 12A and Lot 12B, NCB 2220, located at 2601 Morales Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. 17-5239\_Z2017221 CD\_ Draft Ordinance, 5. Ordinance 2017-10-05-0775

Date	Ver.	Action By	Action	Result
10/5/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2017221 CD

**SUMMARY:**

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

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional use for Two Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 5, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Sirius Orion LLC

**Applicant:** Charles O'Brien

**Representative:** Charles O'Brien

**Location:** 2601 Morales Street

**Legal Description:** South 89.8 feet of Lot 12A and Lot 12B, NCB 2220

**Total Acreage:** 0.107

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association and West End Hope in Action Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The property is a part of the original 36 square miles of San Antonio and was zoned "B" Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "R-4" Residential Single-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:** R-4

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

**Direction:** East

**Current Base Zoning:** R-4

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

**Direction:** South

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residences and Duplexes

**Direction:** West

**Current Base Zoning:** R-4

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

**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:** Morales Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** North Elmendorf Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA route 520 is within walking distance from 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:** Two Family: Minimum vehicle spaces- 1 per unit. Maximum vehicle spaces- 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. In general, “R-4” Residential Single-Family allows single-family dwelling units (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet. Some other permitted uses are foster family home and public/private schools.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not within a Regional Center or within a half mile of a Premium Transit Corridor.

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

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is not located within any adopted Neighborhood, Community, Perimeter, or Sector Plan, therefore the requested a finding of consistency is not required.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The property is currently vacant and the property owner proposes to construct two units on the property. This change will not alter the character of the neighborhood and will be within scale of the surrounding residences, which include single-family structures, and duplexes. In addition, as a result of the 2001 Unified Development Code adoption, “R-4” Residential Single-Family Districts that converted from the 1938 “B” Residence District are allowed to be developed as duplexes by right.

**3. Suitability as Presently Zoned:**

The current “R-4” base zoning district is appropriate for the subject property’s location. The base zoning district will not change, and the duplex will offer a different housing option for the neighborhood.

**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 any public policy objective.

**6. Size of Tract:**

The subject property totals 0.107 acres in size, which reasonably accommodates the uses permitted in “R-4” Residential Single-Family District.

**7. Other Factors:**

The conditional use zoning procedure is designed to provide for a land use 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.

Although the “R-4” zoning is a result of a “B” conversion, the property is less than 6,000 square feet, which is the minimum required to build a duplex by right for the “B” to “R-4” conversion.