



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1231

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/18/2018

**Title:** ZONING CASE # Z2018039 CD (Council District 3): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) residential dwelling units on Lot 10, Block 39, NCB 9323, located at 415 Burton Avenue. 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 2018-01-18-0048

Date	Ver.	Action By	Action	Result
1/18/2018	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2018039 CD

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) residential dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 19, 2017

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Gilbert Lozano

**Applicant:** Gilbert Lozano

**Representative:** Gilbert Lozano

**Location:** 415 Burton Avenue

**Legal Description:** Lot 10, Block 39, NCB 9323

**Total Acreage:** 0.1837

**Notices Mailed**

**Owners of Property within 200 feet:** 20

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

**Applicable Agencies:** None.

**Property Details**

**Property History:** The property was annexed and zoned Temporary "R-1" Single-Family Residence District by Ordinance 4745, dated March 8, 1947. The property was rezoned from Temporary "R-1" to "R-1" Single-Family Residence District by Ordinance 66677, dated February 25, 1988. The property converted to the current "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6"

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

**Direction:** East

**Current Base Zoning:** "R-6"

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

**Direction:** South

**Current Base Zoning:** "R-6"

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

**Direction:** West

**Current Base Zoning:** "R-6"

**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:** Burton Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Grosvenor Boulevard

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Sharmain Place

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 46 and 246 are 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:**

The minimum parking required for a fourplex is 1.5 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 of “R-6”, which permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center. The subject property is within a ½ of a mile of the Southwest Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 West/Southwest Sector Plan and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “R-6” base zoning district is consistent with the future land use designation.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**3. Suitability as Presently Zoned:**

The current “R-6” is an appropriate zoning for the property and surrounding area. The neighborhood includes a mix of residential zoning and density. The proposed rezoning maintains the base zoning district, while adding the Conditional Use of an existing structure.

**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 proposed rezoning does not appear to conflict with the following goals and objectives of the West/Southwest Sector Plan.

West/Southwest Sector Plan Relevant Goals:

- Goal HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
- HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood

**6. Size of Tract:**

The subject properties are 0.1837 of an acre, which should reasonably accommodate the development.

**7. Other Factors:**

The purpose of the Conditional Use is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may under the right set of circumstances and conditions be acceptable in certain specific locations.

The subject property was cited by Code Enforcement for building the additional building in the rear of the property. The property owner is permitted to have an accessory dwelling, but the additional structure used for an additional dwelling unit is currently not permitted.