



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-2317

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/5/2018

**Title:** ZONING CASE # Z2018078 CD (Council District 7): 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 a Duplex on Lot 11, Block 19, NCB 15047, located at 4606 Lone Eagle Street. Staff recommends Denial. Zoning Commission recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2018-04-05-0252

Date	Ver.	Action By	Action	Result
4/5/2018	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018078 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 a Duplex

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 20, 2018

**Case Manager:** Angela Cardona, Planner

**Property Owner:** Daniel Rossiter

**Applicant:** Daniel Rossiter

**Representative:** Daniel Rossiter

**Location:** 4606 Lone Eagle Street

**Legal Description:** Lot 11, Block 19, NCB 15047

**Total Acreage:** 0.2003

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Thunderbird Hills Neighborhood Association

**Applicable Agencies:** None.

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on August 12, 1971 (Ordinance 39659) and was zoned "R-1" Single-Family Residence District. Upon adoption of the Unified Development Code in May, 2001(Ordinance 93881) the property was then converted to the current "R-6" 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-6"

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

**Direction:** South

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

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

**Direction:** East

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

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

**Direction:** West

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

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

**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:** Deer Horn Street

**Existing Character:** Local Street

**Proposed Changes:** None Known.

**Thoroughfare:** Lone Eagle Street

**Existing Character:** Local Street

**Proposed Changes:** None Known.

**Public Transit:** The nearest VIA bus route is the #550 and #607 and are more than a mile distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Parking requirements are determined by use: Dwelling- 2 Family- Minimum vehicle spaces: 1 per unit. Maximum vehicle spaces: 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. “R-6” generally allows for single-family dwelling (detached) units 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 or Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (6-3) 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 West/Southwest Sector Plan and is currently designated as “General Urban Tier”. The request for “R-6” base zoning district is consistent with the adopted future land use plan, but the Conditional Use request for a duplex is inconsistent with the existing land use pattern.

**2. Adverse Impacts on Neighboring Lands:** Staff finds evidence of likely adverse impacts on the neighboring land in relation to the zoning change request as it introduces a higher density to the primarily Single-Family Residential uses.

**3. Suitability as Presently Zoned:**

The current “R-6” base zoning district is appropriate for the surrounding area as it developed with Single-Family Residential dwellings.

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

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

**5. Public Policy:**

Staff finds that the request is not contrary to any stated public policy objective, as the plan calls for “General Urban Tier” which generally allows single-family residential and multi-family including apartments, quadplexes, triplexes, duplexes and townhomes.

**6. Size of Tract:**

The subject property totals 0.2003 acres in size, which should reasonably accommodate the uses permitted in “R-6” 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.

The “R-6” zoning district permits a single-family residential dwelling unit. If the property owner lives on site, they are allowed a bonus unit by right, which would allow the two (2) desired units. However, attached accessory dwelling units must meet the following requirements: (1) The gross floor area of the accessory apartment shall not exceed thirty-five (35) percent of the total living area of the principal dwelling unit, 2) Occupancy of the accessory apartment shall not exceed one (1) person per two hundred (200) square feet of gross floor area, and 3) Attached accessory dwelling units shall be in compliance with the required setbacks of the primary structure required by the underlying zoning district.

The applicant is seeking a change in zoning from single-family residential to pursue a request to establish a duplex for a second utility meter.