



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-3302

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 5/19/2020

**Title:** ZONING CASE Z-2020-10700068 CD (Council District 1): A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for four (4) units on 0.2118 acres out of NCB 861, located at 430 East Magnolia Avenue and "R-6 CD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for four (4) units on 0.2118 acres out of NCB 861, located at 434 East Magnolia Avenue. Staff recommends Approval. (Michael Pepe, Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2020-10700068 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 for four (4) units on 434 East Magnolia and "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District for four (4) units on 430 East Magnolia

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 19, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** JRB Capital, LLC

**Applicant:** Ryan Cohen

**Representative:** Ryan Cohen

**Location:** 434 East Magnolia Avenue and 430 East Magnolia Avenue

**Legal Description:** 0.2118 acres out of NCB 861 and 0.2118 acres out of NCB 861

**Total Acreage:** 0.4216 Acres

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association

**Applicable Agencies:** Fort Sam

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "B" Residence District. The property was rezoned by Ordinance 83331, dated December 14, 1995 from "B" Residence District to "R-1" Single Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" Single Family Residence District converted to the current "R-6" Residential Single-Family District.

**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:** Church parking lot

**Direction:** South

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

**Current Land Uses:** Residential Dwelling

**Direction:** East

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

**Current Land Uses:** Residential Dwelling

**Direction:** West

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

**Current Land Uses:** Residential Dwelling

**Overlay and Special District Information:**

"AHOD"

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:** East Magnolia

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 5, 8, 204

**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 requirement for a multifamily dwelling is 1.5 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “R-6” Residential Single-Family District provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The present zoning district designation of “R-6” Residential Single-Family District provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character. The conditional use as request would allow four units on each lot, pursuant to a site plan.

**FISCAL IMPACT:**

None.

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

The subject property is within the Midtown Regional Center and located within the Premium Transit Corridor.

**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 subject property is located within the Midtown Area Regional Center Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The base zoning of “R-6” is consistent with “Urban Low Density Residential”.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request allows additional housing while maintaining the base zoning to limit adverse impacts.

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

The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed rezoning maintains the base zoning district and allows for two additional housing units per lot.

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

Staff has not found 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, principles, and objectives of the Midtown Area Regional Center Plan:

#### **Goal 5: Broaden Housing Choices**

- Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.
- Conserve existing affordable housing and the existing diverse mix of housing types, and expand affordable housing options.
- Rehabilitate or redevelop housing that is in poor condition.
- Focus most new housing development closer to multimodal transportation corridors.

#### **Goal 10: Pursue Transformative Projects**

- Elevate Midtown’s aesthetic appeal, stimulate economic growth, and meet local needs by transforming vacant properties and older buildings through reuse, redevelopment, or new development.

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

The subject property is 0.4216 acres, which can accommodate single-family dwellings.

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

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

Each of the properties has an existing two-family dwelling. The applicant is proposing to add two additional units to each of these lots. This provides additional housing options, which is consistent with the Midtown Plan goals to broaden housing choices.