



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-3648

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/18/2020

**Title:** ZONING CASE Z-2020-10700051 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Antique Store to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units on the south 132.5 feet of Lot 9, Block 59, NCB 7193, located at 1108 Fresno Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Ordinance 2020-06-18-0429

Date	Ver.	Action By	Action	Result
6/18/2020	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2020-10700051 CD

**SUMMARY:**

**Current Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Antique Store

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

**BACKGROUND INFORMATION:**

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

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Marc Fogelsong

**Applicant:** Marc Fogelsong

**Representative:** Marc Fogelsong

**Location:** 1108 Fresno Street

**Legal Description:** The south 132.5 feet of Lot 9, Block 59, NCB 7193

**Total Acreage:** 0.1515 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 29

**Registered Neighborhood Associations within 200 feet:** Central Los Angeles Heights Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned "B" Business District. The previous "B" district converted to the current "R-4" Single-Family Residential District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was rezoned to "R-4 CD" with a Conditional Use for an Antique Store by Ordinance 2010-12-16-1112, dated December 16, 2010.

**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-4," and "C-2NA"

**Current Land Uses:** Faucet parts and plumbing company

**Direction:** East

**Current Base Zoning:** "R-4 CD" and "R-4"

**Current Land Uses:** Duplexes, single-family dwellings

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-family dwellings

**Direction:** West

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-family dwellings

**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:** Fresno Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes:** 2, 202, 651

**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 two (2) dwelling units is 1 space per unit.

**ISSUE:** None.

#### **ALTERNATIVES:**

**Current:** The current “R-4” Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is 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 current “CD” Conditional Use allows an Antique Store.

**Proposed:** The proposed “R-4” Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is 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 proposed “CD” Conditional Use would allow two (2) dwelling units.

**FISCAL IMPACT:** None.

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

The property is not within a regional center or 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 Greater Dellview Area Community Plan and is currently designated as “Low Density Residential.” The requested “R-4” base zoning district is consistent with the future land use designation.

##### **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 base zoning of “R-4” will remain the same.

**3. Suitability as Presently Zoned:**

The current "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Antique Store is an appropriate zoning for the property and surrounding area. The proposed rezoning will remove the Conditional Use for the Antique Store and if approved will allow only two (2) residential units.

**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 Greater Dellview Area Community Plan:

Goal 5- Promote a community of abundant, diverse, affordable, and quality housing stock while diminishing obstacles to home ownership and long term investment in the area

Objective 5.1- Promote an attractive environment for homeownership by ensuring maintenance of existing housing stock, reinvestment and rehabilitation of deteriorating housing stock, and the promotion and development of new housing stock

Objective 5.2- Promote best urban planning and design practices and ensure that housing upgrades and new developments are consistent with the characteristics of existing valued development

**6. Size of Tract:**

The subject property is 0.1515 acres, which could reasonably accommodate two (2) dwelling units.

**7. Other Factors:**

None.