



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-6566

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/3/2020

**Title:** ZONING CASE Z-2020-10700205 (Council District 1): Ordinance amending the Zoning District Boundary from "R-6 CD NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for a Detached Living Quarter to "R-3 NCD-2 AHOD" Single-Family Residential Alta Vista Neighborhood Conservation Airport Hazard Overlay District on Lot 20, Lot 21, and the west 20 feet of Lot 22, Block 12, NCB 6434, located at 535 West Kings Highway. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2020-12-03-0862

| Date      | Ver. | Action By              | Action | Result |
|-----------|------|------------------------|--------|--------|
| 12/3/2020 | 1    | City Council A Session |        |        |

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2020-10700205

**SUMMARY:**

**Current Zoning:** "R-6 CD NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for a Detached Living Quarter

**Requested Zoning:** "R-3 NCD-2 AHOD" Single-Family Residential Alta Vista Neighborhood Conservation Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 20, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Willowbrook Development, LLC

**Applicant:** Anand Bhakta

**Representative:** Anand Bhakta

**Location:** 535 West Kings Highway

**Legal Description:** Lots 20, 21, and the west 20 feet of Lot 22, Block 12, NCB 6434

**Total Acreage:** 0.2059 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Alta Vista Neighborhood Association

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned "D" Apartment District. The property was rezoned to "R-1 SUP" with a Special Use Permit for a Detached Living Quarter. The previous "R-1 SUP" district converted to the current "R-6 CD" in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 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:** "RM-4" and "R-6"

**Current Land Uses:** Multi-unit and single-family dwellings

**Direction:** East

**Current Base Zoning:** "RM-4" and "R-6"

**Current Land Uses:** Multi-unit and single-family dwellings

**Direction:** South

**Current Base Zoning:** "RM-4" and "R-6"

**Current Land Uses:** Multi-unit and single-family dwellings

**Direction:** West

**Current Base Zoning:** "RM-4" and "R-6"

**Current Land Uses:** Duplexes, 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.

"NCD"

The Alta Vista Neighborhood Conservation District (NCD-2) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These

guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** West Kings Highway

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** North Flores Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 4, 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 two dwelling units is one space per unit.

**ISSUE:** None.

### **ALTERNATIVES:**

**Current:** The current "R-6" 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. 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 proposed "R-3" Residential Single-Family District is designed to provide options for developing dwelling units for specialized housing markets such as the affordable housing market, starter homes, and empty nester homes on small lots. These districts will provide areas for medium to high-density, single-family residential uses where adequate public facilities and services exist, prevent the overcrowding of land, and facilitate the adequate provision of transportation. The "R-3", "R-2", and "R-1" (residential single-family) zoning districts are designed to be in close proximity to schools, public parks, and open space serving the site. "R-3", "R-2", and "R-1" zoning districts are inappropriate for "enclave subdivisions" and are not permitted.

**FISCAL IMPACT:** None.

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

The property is not within a regional center but is within 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 Midtown Neighborhoods Plan and is currently designated as “Low Density Residential.” The requested “R-3” 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.

**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 “R-3” zoning would also be appropriate for the property and surrounding area. If approved, “R-3” will allow the applicant to subdivide the property where the existing fence is and sell each existing home individually.

**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 Neighborhoods Plan:

Goal 1- Revitalize and enhance the neighborhoods’ historic commercial centers.

Objective 1.1- Preserve the historic character of the neighborhood commercial centers along Blanco, Fredericksburg, Hildebrand, Flores, and San Pedro.

Objective 2.2- Maintain the historic character of the neighborhoods’ housing while building on the increased demand for area homes

to attract reinvestment by new families.

Objective 2.3- Improve the condition, appearance and maintenance of the neighborhoods’ housing and yards.

The subject property is located within the Alta Vista Neighborhood and Neighborhood Conservation District, on the corner of West Kings Highway and North Flores Street. The site presently features two residential structures, built in 1930 according to BCAD records.

**6. Size of Tract:**

The subject property is 0.2059 acres, which could reasonably accommodate two dwelling units.

**7. Other Factors:**

The applicant is rezoning to subdivide the property into two (2) lots with one residential unit on each lot. Although the property can be subdivided for the two (2) existing units, the applicant was also informed that depending on where the property boundaries are established there may be setback encroachments that need to be addressed through the Board of Adjustment prior to being able to obtain building permits.