



# City of San Antonio

## Agenda Memorandum

**File Number:**16-4884

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**Agenda Item Number:** Z-6.

**Agenda Date:** 10/6/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2016073

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 5, 2016. This case is continued from the March 1, 2016 hearing.

**Case Manager:** Robert C. Acosta, Planner

**Property Owner:** Gregory Esquivel

**Applicant:** Gregory Esquivel

**Representative:** Gregory Esquivel

**Location:** 2602 Leal Street

**Legal Description:** Lot 7, Block 41, NCB 3640

**Total Acreage:** 0.1837

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Prospect Hill

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the City Limits as recognized in 1938 and was

originally zoned “B” Residence District. Upon the adoption of the 2001 Unified Development Code, the base zoning converted to “R-4” Residential Single Family District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4

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

**Direction:** East

**Current Base Zoning:** C-2 and R-4

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

**Direction:** South

**Current Base Zoning:** NC and R-4

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

**Direction:** West

**Current Base Zoning:** R-4

**Current Land Uses:** Vacant and 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:** North West 24<sup>th</sup> Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

**Thoroughfare:** Leal Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Perez Street

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** 25<sup>th</sup> Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There is a VIA bus stop along the eastside of the subject property along NW 24<sup>th</sup> Street. Routes 522, 77 and 79 provide service to the area.

**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:** Café: Parking Requirement: 1 space per 100 sf. GFA.

**ISSUE:**

None

**ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the "R-4" base zoning.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission (11-0) recommended Denial.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is not located within a Neighborhood or Community Plan and has a base zoning of R-4, which is consistent with the surrounding single-family residential uses. A "NC" Neighborhood Commercial designation would provide for small scale neighborhood commercial uses that are compatible with the residential area.

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

Granting of "NC," Neighborhood Commercial District designation will not have an adverse impact on the surrounding properties. Neighborhood Commercial zoning at this location would complement and be compatible with the area which is predominately single-family residential in character to the north, south, east and west.

**3. Suitability as Presently Zoned:**

The current R-4 base zoning is appropriate for the subject property due to its location and is consistent with the surrounding single-family residential uses. "NC" is appropriate at the intersection of a Secondary Arterial and a local street.

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

A neighborhood commercial use will not have an adverse effect on the public health, safety, or welfare.

**5. Public Policy:**

The requested rezoning does not appear to be in conflict with any public policy.

**6. Size of Tract:**

The subject property is 0.1837 acres in size.

**7. Other Factors:**

None.