



# City of San Antonio

## Agenda Memorandum

**File Number:**14-818

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**Agenda Item Number:** Z-18.

**Agenda Date:** 5/1/2014

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 10

**SUBJECT:**

Zoning Case Z2014117

**SUMMARY:**

**Current Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "RM-6 AHOD" Residential Mixed Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 1, 2014

**Case Manager:** Tony Felts, Planner

**Property Owner:** Rodolfo A. & Rosa Maria Reyes

**Applicant:** Rodolfo A. Reyes

**Representative:** Rodolfo A. Reyes

**Location:** 301 Rainbow Drive

**Legal Description:** 0.65 of an acre out of Tract 12, Block A, NCB 8695

**Total Acreage:** 0.65

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** Northeast Inner Loop Neighborhood Plan - 34

**Applicable Agencies:** City of San Antonio Aviation Department

## **Property Details**

**Property History:** The subject property was annexed in 1952 and was originally zoned “A” Single Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “R-5” Residential Single-Family District. The property is not currently platted. The property is developed with a single-family residential structure, constructed in 1946, with an attached accessory dwelling unit.

The purpose of the rezoning request is to add a separate electrical meter to the attached accessory dwelling unit, thus converting it and the single-family residence, into a single duplex.

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

## **Adjacent Zoning and Land Uses**

**Direction:** North, South, West

**Current Base Zoning:** “R-5”, “MF-33”

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

**Direction:** East

**Current Base Zoning:** “R-4”

**Current Land Uses:** 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:** Rainbow Drive

**Existing Character:** Local Street; two lanes in each direction, with no sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines are the 504 and 647, which operate along Eisenhower Road to the north of the subject property.

**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:** Off-street vehicle parking requirements for residential uses are typically determined by number of dwelling units. The zoning application refers to two existing dwelling units. Off-street vehicle parking requirements for a duplex are a minimum of 1.5 spaces per unit, and a maximum of 2 spaces per unit.

## **ISSUE:**

None.

## **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current single-family residential zoning and the addition of a second electrical meter for a duplex would be prohibited.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) 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 Northeast Inner Loop Neighborhood Plan and is designated as High Density Residential in the future land use component of the plan. The proposed “RM-6” base zoning district is consistent with the adopted future land use designation.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The area around the property is a mix of single-family and multi-family uses, and the addition of a duplex would not be out of character for the area.

**3. Suitability as Presently Zoned:**

Both the current and requested zoning districts are appropriate for the subject property and surrounding properties.

A single-family residence with an attached accessory dwelling unit is currently constructed on the site, and is permitted by-right under the current zoning designation. The applicant wishes to modify the attached accessory dwelling unit by adding a separate electrical meter. By definition, accessory dwellings should be connected to the primary dwelling’s utilities. Therefore, by adding a separate utility meter to the second unit, the entire structure will be considered a duplex by UDC definition. Duplexes/Two-family dwellings are not permitted in the “R-5” Residential Single-Family District.

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

Staff has found no indication of likely adverse effects on the public health, safety or welfare. No new construction is proposed.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is 0.65 acres in size, which should reasonably accommodate the uses permitted in the “RM-6” base zoning district and required parking.

**7. Other Factors:**

The subject property is located within the San Antonio International Airport Awareness Zone; therefore the rezoning application was reviewed by the City of San Antonio Aviation Department. Although the property is located within a day/night noise contour that experiences increased levels of noise, the rezoning request will not increase the overall residential density; therefore the Aviation Department does not object to the rezoning request.