



# City of San Antonio

## Agenda Memorandum

**File Number:**20-4974

---

**Agenda Item Number:** Z-4.

**Agenda Date:** 9/3/2020

**In Control:** City Council A Session

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2020-10700110 CD

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 4, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Vergel Construction, LLC

**Applicant:** WG, Inc., Megan Armitrano

**Representative:** WG, Inc., Megan Armitrano

**Location:** 123 Fairview Avenue

**Legal Description:** Lot 19 and Lot 20, Block 1, NCB 3206

**Total Acreage:** 0.2961

**Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** Riverside Neighborhood Association

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of San Antonio and zoned “B” Residence District. The previous zoning district converted to “R-4” Residential Single-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 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:** “R-4”

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

**Direction:** East

**Current Base Zoning:** “R-4”

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

**Direction:** South

**Current Base Zoning:** “R-4”

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

**Direction:** West

**Current Base Zoning:** “R-4”

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

### **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:** Fairview Avenue

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Serviced:** 36, 242

**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 parking requirements for one- family dwellings are 1 space per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The present zoning district designation of “R-4” Residential Single-Family are designed to provide areas for low-density, single-family residential uses on individual lots 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 Conditional Use would allow for four (4) dwelling units on the property.

**Proposed:** The proposed zoning designation of “R-4 CD” accommodates the same uses noted above and the proposed Conditional Use would allow for four (4) dwelling units on the property.

**FISCAL IMPACT:**

None.

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

The property is not part of a Regional Center and it 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 South Central San Antonio Community Plan and is designated as “Low Density Residential”. The requested “R-4” base zoning district is consistent with the adopted 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. This “R-4” Residential district was formerly a “B” Residence District, which allowed two (2) units on each lot prior to the 2001 Zoning Conversion. The property is comprised of two (2) lots which would accommodate two (2) dwellings on each lot. Additionally, the applicant will be required to adhere to the submitted site plan, subject to approval.

**3. Suitability as Presently Zoned:**

The current “R-4” Residential Single-Family District is an appropriate zoning for the property. The proposed “R-4 CD” Residential Single-Family District use maintains the base zoning district and is an appropriate zoning for this property as it is directly adjacent to other “R-4” zoned properties. The Conditional Use allows consideration for four (4) single-family homes on the property.

**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 South Central San Antonio Community Plan:

- Goal: Maintain and build on the old-fashioned neighborhood character of South Central San Antonio
  - Objective 2- Housing:
  - Encourage the rehabilitation of existing homes and the construction of new housing.

- Strategy 2.1- Infill Housing: construct all types of infill housing on vacant lots throughout the entire community.

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

The subject property is 0.2961 acres, which could reasonably accommodate the proposed residential dwelling units.

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

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant is rezoning to build four (4) dwelling units on the property.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. On March 20, 2020, the Office of Historic Preservation issued approval for demolition at this address.