



# City of San Antonio

## Agenda Memorandum

**File Number:**15-4079

---

**Agenda Item Number:** 12.

**Agenda Date:** 7/21/2015

**In Control:** Zoning Commission

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2015235

**SUMMARY:**

**Current Zoning:** "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 21, 2015

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Verge Productions LLC-Series Courtland (By Rafael Marfil, Manager)

**Applicant:** Rafael Marfil

**Representative:** Rafael Marfil

**Location:** 201 East Courtland Place

**Legal Description:** Lot 1, Block 3, NCB 1726

**Total Acreage:** 0.1779

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association

**Planning Team:** Tobin Hill Planning Team - 14

**Applicable Agencies:** NA

### **Property Details**

**Property History:** The subject property is located within the city limits as recognized in 1938 and originally zoned "D UC" Apartment Main/McCullough Urban Corridor District. In 1995 a city initiated rezoning case changed the subject property to "R-3 UC" Apartments Main/McCullough Urban Corridor District. In 1996 the subject property was rezoned to "B-3 NA SUP" Business District Nonalcoholic Sales with a Special Use Permit for a Correctional Institution with a 5 year time limit. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3 NA" Commercial Nonalcoholic Sales District. The subject property configuration contains NCB 1726, Block 3, Lot 1 platted in volume 368/ page 38. The subject property was developed with a 6,742 square foot single family and detached structure in 1929.

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

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** MF-33

**Current Land Uses:** Apartment

**Direction:** East

**Current Base Zoning:** MF-33

**Current Land Uses:** Apartment

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Apartment

**Direction:** West

**Current Base Zoning:** MF-33

**Current Land Uses:** Apartment

**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:** East Courtland and Ogden Street

**Existing Character:** Local Streets; one lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** Ashby Place

**Existing Character:** Collector; two lanes in each direction with sidewalks on both sides

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the 5, which operate along McCullough Street, with a bus stop one block east of subject property on McCullough Ave. Another VIA bus line is 20 and 90 which operates along Main Ave. and Ashby with the nearest bus stop to the subject property located at Ashby and Main Ave.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to Residential Mixed Use

Minimum Parking Requirement: 1.5 per unit;

Maximum Parking Requirement: 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Tobin Hill Neighborhood Plan and is currently designated as Low Density Mixed Use in the future land use component of the plan. The requested “RM-4” base zoning district is consistent with the adopted 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 proposed zoning request is not increasing the intensity of use as defined by the Tobin Hill Neighborhood Plan and surrounding area.

**3. Suitability as Presently Zoned:**

Existing is not suitable for the subject property. The proposed use is consistent with the surrounding pattern of development. The transportation network supports such uses.

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

Staff has found no indication of likely adverse effects on the public health, safety or welfare

**5. Public Policy:**

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

**6. Size of Tract:**

The subject property measures 0.1779 of an acre in size, which is sufficient to accommodate the proposed Residential Mixed development and parking requirements.

**7. Other Factors:**

None.