



# City of San Antonio

## Agenda Memorandum

**File Number:**15-4415

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**Agenda Item Number:** Z-2.

**Agenda Date:** 9/3/2015

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2015252 CD

**SUMMARY:**

**Current Zoning:** "R-4 EP-1" Residential Single-Family Facility Parking/Traffic Control District

**Requested Zoning:** "R-4 CD EP-1" Residential Single-Family Facility Parking/Traffic Control District with Conditional Use for a Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 4, 2015

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** Tammy Peden

**Applicant:** Tammy Peden

**Representative:** Carroll McHaney III

**Location:** 2836 East Houston Street

**Legal Description:** Lot 17 and 18, Block 0, NCB 6909

**Total Acreage:** 0.1435

**Notices Mailed**

**Owners of Property within 200 feet:** 36

**Registered Neighborhood Associations within 200 feet:** Jefferson Heights Neighborhood Association

**Planning Team:** Arena District/Eastside Community Plan-22

**Applicable Agencies:** San Antonio Aviation Department

### **Property Details**

**Property History:** The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned “B” Residence District. Upon adoption of the 1965 Unified Development Code, the property converted to “R-7” Single-Family Residential. Upon adoption of the 2001 Unified Development Code, the “R-7” zoning district converted to the current “R-4”.

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

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

**Direction:** North

**Current Base Zoning:** R-4 EP-1

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

**Direction:** West

**Current Base Zoning:** R-4 EP-1

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

**Direction:** South

**Current Base Zoning:** R-4 EP-1

**Current Land Uses:** Single-Family Residential, Vacant Residential

**Direction:** East

**Current Base Zoning:** R-4 EP-1 and I-1 EP-1

**Current Land Uses:** Single-Family Residential, Vacant Commercial

**Overlay and Special District Information:** The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

### **Transportation**

**Thoroughfare:** East Houston Street

**Existing Character:** Secondary Arterial, two lanes in each direction.

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the 24, which operates along East Houston Street.

**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 applicant proposes the zoning change to allow a Professional Office within a single-family residence.

Dwelling - 1 Family - Minimum Requirement: 1 space per unit; Maximum Allowance: N/A.

Professional Office - Minimum parking requirement: 1 space per 300 square feet of Gross Floor Area, Maximum parking requirement: 1 space per 140 square feet of Gross Floor Area.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the proposed zoning will result in the subject property retaining the “R-4” Single-Family Residential base zoning.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (7-0) recommend Approval.

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

**1. Consistency:**

The property is located within the Arena District/Eastside Community Plan and is currently designated as “Medium Density Residential.” The requested “R-4” base zoning district is consistent with the 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.

**3. Suitability as Presently Zoned:**

The existing "R-4 EP-1" zoning district is consistent with the adopted land use designation and is appropriate for the subject property. The zoning request does not include a change to the base zoning district and residential uses will continue to be permitted on the property. No new construction is proposed.

**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 0.1435 acre tract is of sufficient size to accommodate the proposed use.

**7. Other Factors:**

The conditional zoning procedure is designed to provide for a land use within an area 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.

Per Section 35-422 of the Unified Development Code, the following conditions apply to all conditional use requests in residential zoning districts, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the

- surrounding residential neighborhood.
- C. Business hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.