



City of San Antonio

Agenda Memorandum

Agenda Date: May 19, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2022-10700072 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 a Conditional Use for three (3) dwelling units

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: April 19, 2022

Case Manager: Summer McCann, Planner

Property Owner: Blue Fly LLC

Applicant: Amanda Fly

Representative: Amanda Fly

Location: 638 West Elmira Street

Legal Description: Lot 12, NCB 3599

Total Acreage: 0.1033 Acres

Notices Mailed**Owners of Property within 200 feet:** 23**Registered Neighborhood Associations within 200 feet:** Five Points Owners Association**Applicable Agencies:** None.**Property Details**

Property History: The subject property was part of the original 36 square miles of the City of San Antonio and zoned "C" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C" Apartment District converted to the "MF-33" Multi-Family District. The property was rezoned to "R-4" Residential Single-Family District by Ordinance 97522, dated May 2, 2003.

Topography: The property does not include any abnormal physical features such as slope or incursion in a floodplain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** "R-4"**Current Land Uses:** Single-Family Dwelling**Direction:** South**Current Base Zoning:** "C-2P"**Current Land Uses:** Office/Parking Lot**Direction:** East**Current Base Zoning:** "R-4"**Current Land Uses:** Vacant Land**Direction:** West**Current Base Zoning:** "R-4 CD"**Current Land Uses:** Office**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Special District Information: None.**Transportation****Thoroughfare:** West Elmira Street**Existing Character:** Local**Proposed Changes:** None Known.

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

Routes Served: 2, 82, 88, 202, 282, 288

Traffic Impact: Preliminary Review Only– Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting. The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502. TIA Report is Not Required.

Parking Information: The minimum parking requirement for a 3 Family Dwelling is 1.5 per unit.

ISSUE: None.

ALTERNATIVES:

Current Zoning: “R-4” Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: “R-4 CD” Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

The "CD" conditional use allows for three (3) dwelling units.

FISCAL IMPACT: None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Midtown Regional Center and within a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval.

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

1. **Consistency:** The subject property is located within the Midtown Area Regional Center Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “R-4” base zoning district is consistent with the future 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 proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family District with a Conditional Use for three (3) dwelling units is also appropriate. The proposed development is compatible with existing density found along the block. There are additional 3-unit properties in the area and the subject property is abutting a large office building. Additionally, the configuration would be consistent with the existing character of the neighborhood.
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 appear to conflict with the following goals, principles, and objectives of the Midtown Area Regional Center Plan.

Relevant Goals, Recommendations and Strategies of the Midtown Area Regional Center Plan may include:

Goal 1: Preserve the Midtown Area’s Distinct Character

Goal 4: Support Unique, Mixed Activity Areas

- Foster an appropriate mix, density, and orientation of land uses in each part of Midtown to maintain the character of unique places.

Goal 5: Broaden Housing Choices

- Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.

- Rehabilitate or redevelop housing that is in poor condition.

LU Recommendation #2: Encourage zoning that supports the maintenance of neighborhood character while encouraging affordable housing, housing for all stages of life, and housing that is accessible to people with mobility impairments.

6. **Size of Tract:** The 0.1033-acre site is of sufficient size to accommodate the proposed residential development.
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 allow for development of three (3) dwelling units.

The applicant has been informed that a variance from the Board of Adjustment will be required for the proposed 3-story structure.