



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 4, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2022-10700063

**SUMMARY:**

**Current Zoning:** “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** “R-1 AHOD” Single-Family Residential Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2022. This case was continued from the April 19, 2022 hearing.

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** Jose Rodriguez

**Applicant:** Robert Delgado

**Representative:** Robert Delgado

**Location:** 803 Indiana Street

**Legal Description:** the east 29 feet of Lot 12, Block 2, NCB 6088

**Total Acreage:** 0.0459

**Notices Mailed****Owners of Property within 200 feet:** 38**Registered Neighborhood Associations within 200 feet:** Denver Heights**Applicable Agencies:** N/A**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "C" Apartment District. The property was rezoned by Ordinance 79329, dated December 16, 1993 to "R-2" Two-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-2" Two-Family Residence District converted to the current "RM-4" Residential Mixed District.

**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:** RM-4**Current Land Uses:** Residential Dwelling**Direction:** South**Current Base Zoning:** RM-4**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** RM-4**Current Land Uses:** Vacant Lot**Direction:** West**Current Base Zoning:** RM-4**Current Land Uses:** Residential Dwelling**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:** N/A**Transportation****Thoroughfare:** Indiana Street**Existing Character:** Local**Proposed Changes:** None known**Thoroughfare:** South Pine Street**Existing Character:** Local**Proposed Changes:** None known

**Public Transit:** VIA bus routes are within walking distance of the subject property.  
Routes Served: 20, 26, 28 and 30

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502. A TIA Report is not required.

**Parking Information:** The minimum parking requirement for a single-family dwelling is 1 space per unit.

**ISSUE:**  
None.

**ALTERNATIVES:**

**Current Zoning:** “RM-4” Residential Mixed allows single-family dwellings (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

**Proposed Zoning:** “R-1” Residential Single-Family allows dwellings with a minimum lot size of 3,000 square feet for R-3, 2,000 square feet for R-2 and 1,250 square feet for R-1 and a minimum lot width of 20 feet, designed to provide options for developing dwelling units for specialized housing markets such as affordable housing, starter homes, and empty nester homes.

**FISCAL IMPACT:**  
None.

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

The Subject property is located within the New Braunfels Avenue Premium Transit Corridor and the Downtown Regional Center.

**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 Arena District/Eastside Community Plan and is currently designated as Medium Density Residential in the future land use component of the plan. The requested “R-1” 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. The surrounding properties are zoned “RM-4” Residential Mixed District and are developed as single-family homes.
3. **Suitability as Presently Zoned:** The existing “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District is an appropriate zoning for the surrounding area. The proposed “R-1” Residential Single-Family is also appropriate and allows the applicant to meet the minimum square footage of the lot, in order to develop the property as a single-family home. Additionally, the rezoning to “R-1” Residential Single-Family reduces the density allowed by the current “RM-4” Residential Mixed District.
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, principals, and objectives of the Arena District/Eastside Community Plan:
  - Objective 1.1 New home construction - 25-50 homes per year
  - Objective 2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment
6. **Size of Tract:** The .0459-acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The applicant is rezoning to develop a single-family home, but the lot is only 1,999 square feet and requires rezoning to “R-1” Residential Single-Family to meet the minimum lot size.