



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-6371

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/17/2019

**Title:** ZONING CASE # Z2018326 S (Council District 3): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 S AHOD" Light Commercial Airport Hazard Overlay District with Specific Use Authorization for a Chiropractor Office on Lot 21 and Lot 22, Block 12, NCB 2950, located at 123 Waleetka Street. Staff recommends Denial. Zoning Commission recommends Approval. (Associated Plan Amendment 18092)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-01-17-0070

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2018326 S  
(Associated Plan Amendment 18092)

**SUMMARY:**

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

**Requested Zoning:** "C-1 S AHOD" Light Commercial Airport Hazard Overlay District with Specific Use Authorization for a Chiropractor Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 6, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Anh Tien Pham

**Applicant:** Anh Tien Pham

**Location:** 123 Waleetka Street

**Legal Description:** Lot 21 and Lot 22, Block 12, NCB 2950

**Total Acreage:** 0.2778

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Highland Park Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio, and was zoned "B" Residence District. The property was further rezoned from "B" Residence District to "B-1" Business District by Ordinance 34029, dated January 20, 1966. Upon the adoption of the 2001 Unified Development Code, the previous "B" converted to the current "R-4" and the previous "B-1" Converted to the current "C-1".

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-4"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "R-4"

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

**Direction:** South

**Current Base Zoning:** "R-4"

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

**Direction:** West

**Current Base Zoning:** "R-4"

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

**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:** Waleetka Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 20, 34, 232, and 515

**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 minimum parking requirements for a professional office is 1 space per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district of “R-4” and “C-1”. The “R-4” district provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are 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 “C-1” districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an "NC" district. "C-1" uses are considered appropriate buffers between residential uses and "C-2" and "C-3" districts and uses.

**FISCAL IMPACT:**

None.

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

The property is located half a mile of a Premium Transit Corridor.

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission recommends Approval (8-0).

**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 Highlands Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-1 S” base zoning is not compatible with the future land use designation. The applicant is requesting a Plan Amendment from “Low Density Residential” to “Neighborhood Commercial” to accommodate the proposed rezoning. Staff and Planning Commission recommend Denial of the Plan Amendment.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Allowing the change in zoning will encourage commercial encroachment into the single-family uses without an appropriate buffer.

**3. Suitability as Presently Zoned:**

The current “R-4” Residential Single-Family District is an appropriate zoning district for the subject property and surrounding uses.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. Allowing commercial encroachment could create safety and nuisance issues.

### **5. Public Policy:**

The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the Highlands Community Plan.

Highlands Community Plan Relevant Goals and Objectives:

- Improve the appearance of the community and maintenance of the commercial buildings while preserving the character of the Highlands neighborhoods.
- Enhance and improve the distinctive character of the Highlands neighborhoods and encourage compatible infill housing within the neighborhoods.

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

The subject property totals 0.2778 acres in size, which would adequately support a chiropractor office.

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

This case was considered by Zoning Commission recently for “C-1” for a professional office use as indicated on the application. However, during the hearing, the applicant stated he is looking to expand the current chiropractic office that has been in operation on Lot 21 since 2018. This use requires an “S” Specific Use Authorization.