



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-4284

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 8/18/2015

**Title:** ZONING CASE # Z2015255 S (Council District 7): A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 S AHOD" Residential Single-Family Airport Hazard Overlay District with Specific Use Authorization for a Childcare Daycare Center on Lot 36, Block 6, NCB 12266, located at 143 Postwood Drive. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015-255\_Location Map, 2. Z2015255\_Site Plan

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

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2015255 S

**SUMMARY:**

**Current Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-5 S AHOD" Residential Single-Family Airport Hazard Overlay District with Specific Use Authorization for a Childcare Daycare Center

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 18, 2015

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Julie Ann Franco

**Applicant:** Julie Ann Franco DBA Carousel Childcare Center

**Representative:** Julie Ann Franco DBA Carousel Childcare Center

**Location:** 143 Postwood Drive

**Legal Description:** Lot 36, Block 6, NCB 12266

**Total Acreage:** 0.2073

**Notices Mailed**

**Owners of Property within 200 feet:** 29

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** Near Northwest Planning Team-18

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City Limits in 1952 and was originally zoned "A" Single-Family Residence. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "R-5" Residential Single-Family Zoning District. In 1955 a 1,928 square foot residential structure with approximately 220 square foot shed developed on the subject property. In 2008 an additional 264 square feet of living space was added to the structure. The subject property was platted in its current configuration in 1955 as described by deed and plat records (volume 3700, page 36 of the Deed and Plat Records of Bexar County, Texas).

**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:** All

**Current Base Zoning:** R-5

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

**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:** Postwood Drive, Clearview Drive

**Existing Character:** Local, Type A; one lane each direction with sidewalks both sides

**Proposed Changes:** None known

**Public Transit:** VIA route 509 at Callaghan Road and Clearview Drive which operates along Callaghan Road is the near transit route to the subject property.

**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 a Childcare-Daycare.

Minimum Parking Requirement: 1 per 375 square feet Gross Floor Area (GFA);

Maximum Parking Requirement: 1.5 per 375 square feet Gross Floor Area (GFA).

**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 Near Northwest Community Plan and is currently designated as Low Density Residential land use in the future land use component of the plan. The existing "R-5" 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 request for the proposed specific use for the Childcare-Daycare to the existing Childcare-Registered Childcare Home will not provide any additional intensity in use.

**3. Suitability as Presently Zoned:**

The existing base zoning "R-5" is consistent with the surrounding base zoning district.

**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 0.2073 acre tract is sufficient to accommodate the proposed Childcare- Daycare development and parking requirements.

**7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but with may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The Unified Development Code, Section 35-375(d) Required Residency, states that daycares within a single-family home which are permitted by a specific use permit require the owner of the property, to occupy as their primary residence the home providing the daycare services.