



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-6380

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/7/2017

**Title:** ZONING CASE # Z2017273 CD (Council District 9): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Duplex on Lot 7, Block 8, NCB 13358, located 1022 Cerro Alto Drive. Staff and Zoning Commission recommend Denial.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Draft Ordinance

Date	Ver.	Action By	Action	Result
12/7/2017	1	City Council A Session	Motion to Cont/Post	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Zoning Case Z2017273 CD

**SUMMARY:**

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

**Requested Zoning:** "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Duplex

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 7, 2017. This case is continued from the October 17, 2017 Zoning hearing.

**Case Manager:** Angela Cardona, Planner

**Property Owner:** Lois Morgado

**Applicant:** Lois Morgado

**Representative:** Lois Morgado

**Location:** 1022 Cerro Alto Drive

**Legal Description:** Lot 7, Block 8, NCB 13358

**Total Acreage:** 0.1928

**Notices Mailed**

**Owners of Property within 200 feet:** 32

**Registered Neighborhood Associations within 200 feet:** Greater Harmony Hills Neighborhood Association

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was annexed on September 25, 1952 (Ordinance 18115) and was zoned "A" Single-Family District. The zoning then converted to the current "R-5" Residential Single-Family District upon adoption of the Unified Development Code on May 3, 2001 (Ordinance 93881).

**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-5"

**Current Land Uses:** Single-Family

**Direction:** East

**Current Base Zoning:** "R-5"

**Current Land Uses:** Single-Family

**Direction:** South

**Current Base Zoning:** "R-5"

**Current Land Uses:** Single-Family

**Direction:** West

**Current Base Zoning:** "R-5"

**Current Land Uses:** 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:** Blanco Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known.

**Thoroughfare:** Cerro Alto

**Existing Character:** Local Street

**Proposed Changes:** None Known.

**Public Transit:** The VIA bus route #2 is within walking distance of the subject property.

**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:** Parking requirements are determined by use: Dwelling- 2 Family- Minimum vehicle spaces: 1 per unit. Maximum vehicle spaces: 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:** A denial of the request will result in the subject property retaining the current base zoning district. The current zoning of “R-5” Residential Single-Family District accommodates a single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is within the Greater Airport Area Regional Center and the San Pedro Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Denial.

**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 San Antonio International Airport Vicinity Land Use Plan and is currently designated as “Low Density Residential”. The base zoning of “R-5” is consistent with the plan; however, the request for a Conditional Use to allow for a duplex is inconsistent with the adjacent and surrounding single-family residential development.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to the Conditional Use request for a Duplex because the request is inconsistent with the adjacent and surrounding Residential Single-Family uses.

**3. Suitability as Presently Zoned:**

The rezoning request to maintain the “R-5” base zoning is consistent with the San Antonio Airport Vicinity Land Use Plan, but the Conditional Use request to allow for a duplex may begin a precedent in an established Single-Family Residential neighborhood.

**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 rezoning request for the Conditional Use for a duplex is inconsistent with the San Antonio Airport Vicinity Land Use Plan to protect the integrity of the neighborhood.

**6. Size of Tract:**

The subject property totals 0.1928 acres in size, which should reasonably accommodate the uses permitted in “R-5” Residential Single-Family District

**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.

Although the base zoning remains consistent with existing and surrounding “R-5”, the Conditional Use introduces a duplex, a higher density than existing homes in the area.