



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-6262

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/28/2016

**Title:** ZONING CASE # Z2015153 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office on Lot 38, Block 2, NCB 10022 located at 275 Cliffwood Drive. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015153 Location Map, 2. Site Plan Z2015153 CD, 3. Z2015153 CD Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2016-01-28-0045

Date	Ver.	Action By	Action	Result
1/28/2016	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2015153 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 a Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 1, 2015. This case was postponed on May 19, 2015

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** Guadalupe Gomez & Anita P Gomez

**Applicant:** Guadalupe Gomez & Anita P Gomez

**Representative:** Guadalupe Gomez & Anita P Gomez

**Location:** 275 Cliffwood Drive

**Legal Description:** Lot 38, Block 2, NCB 10022

**Total Acreage:** 0.1716

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Greater Dellview Association

**Planning Team:** North Central Neighborhoods Community Plan -46

**Applicable Agencies:** None

**Property Details**

**Property History:** The property was originally annexed in January 11, 1951 (Ordinance # 13809) and zoned as "A" Temporary Residence District. In May 16, 1957, the property was rezoned to "B" Residence District (Ordinance 25046). The zone was changed to "R-7" Residential Single-Family District with the adoption of the 1965 Zoning Districts. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "R-4" Residential Single-Family District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North, South

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

**Current Land Uses:** Restaurant, single-family homes.

**Direction:** West

**Current Base Zoning:** "C-2", "C-2P"

**Current Land Uses:** Retail Centers.

**Direction:** East

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

**Current Land Uses:** single-family homes.

**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:** West Avenue

**Existing Character:** Secondary Arterial Type B 70 - 86'; 2 lane in each direction with no sidewalk fronting on property.

**Proposed Changes:** None known

**Thoroughfare:** Cliffwood Drive

**Existing Character:** Local; 1 lane in each direction and no sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines are number 97, which operates along West Avenue, with a bus stop

on the opposite site of the street.

**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:** Variety Store; Minimum Parking Requirement: 1 space per 300 sf. GFA. Maximum Parking Requirement: 1 space per 200 sf. GFA.

**ISSUE:**

No access from West Avenue due to the proximity to Cliffwood Drive intersection and Electrical Utility Pole.

**ALTERNATIVES:**

Denial of the zone change request will not allow the property to have Conditional Use for Use for a Variety Store; but rather remain “R-4” Residential Single-Family District.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval.

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

**1. Consistency:**

The property is located within the North Central Neighborhoods Community Plan and is currently designated as Low Density Residential in the future land use component of the plan. The base zoning district “R-4” Single-Family 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 proposed use is consistent with the established development pattern of the neighborhood.

**3. Suitability as Presently Zoned:**

The existing “R-4” Zoning District with a Conditional Use for Small Variety is appropriate for the subject property. The neighborhood consists of single- family homes, restaurants and commercial uses. The requested Conditional Use is consistent with the existing development pattern in the 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 request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is 0.1716 of an acre in size, which is sufficient to accommodate the proposed conditional use for a “Variety Store” and all required off-street parking requirements.

**7. Other Factors:**

The Conditional Use Zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site consideration or unique development requirements would be compatible with adjacent and uses under given conditions. The granting of the Zoning District with the specified Conditional Use shall only be for the zoning case named in the ordinance approving the Zoning District with the specified Conditional Use provisions.

According to Section 35-422(e)(3), the following conditions apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the city council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.