



City of San Antonio

Legislation Details (With Text)

File #: 19-2395

Type: Zoning Case

In control: City Council A Session

On agenda: 3/21/2019

Title: ZONING CASE # Z-2018-900087 S (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System and "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System on 0.052 acres out of NCB 10734, located at 323 Rice Road. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Field Notes, 6. Ordinance 2019-03-21-0254

Date	Ver.	Action By	Action	Result
3/21/2019	1	City Council A Session		

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:

Zoning Case Z-2018-900087 S

SUMMARY:

Current Zoning: "R-5" Residential Single-Family District and "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System

Requested Zoning: "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 19, 2019

Case Manager: Patricia Franco, Planner

Property Owner: Sergio Delahuerta and Maria Salazar

Applicant: NTCH-NM, LLC

Representative: Keith Fisher and Jessica Noll

Location: 323 Rice Avenue

Legal Description: 0.052 acres out of NCB 10734

Total Acreage: 0.052

Notices Mailed

Owners of Property within 200 feet: 6

Registered Neighborhood Associations within 200 feet: None

Applicable Agencies: None

Property Details

Property History: The subject property was zoned “A” Residence District by Ordinance 24417, dated February 14, 1957. The property converted from “A” Residence District to the current “R-5” Single-Family Residential District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

Topography: The subject property is not located within the 100-year flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “R-5” and “MH”

Current Land Uses: Single-Family Residences and Manufactured Homes

Direction: East

Current Base Zoning: “R-5”

Current Land Uses: Single-Family Residences

Direction: South

Current Base Zoning: “R-5”

Current Land Uses: Single-Family Residences

Direction: West

Current Base Zoning: “R-4” and “R-5”

Current Land Uses: Vacant Lots

Overlay and Special District Information:

None.

Transportation

Thoroughfare: Rice Road

Existing Character: Collector

Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property. Routes served: 28

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:

There are no minimum or maximum parking requirements for a wireless communication system.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-5”. “R-5” allows for single-family dwellings (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 not located within a Regional Center or half mile of a Premium Transit Corridor.

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 subject property is located within the Eastern Triangle Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-5” base zoning is consistent with the future land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

3. Suitability as Presently Zoned:

The current “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The request maintains the base zoning district and adds a Specific Use Authorization for a Wireless Communication System.

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, principles, and objectives of the Eastern Triangle Community Plan.

Eastern Triangle Community Plan Relevant Goals and Objectives:

- Overall goal: A community that is a safe and clean place in which to live in free of crime, stray animals, and trash
- Goal 5: Keep commercial and residential properties well maintained in the Eastern Triangle.

6. Size of Tract:

The subject property is 0.052 acres, which would adequately support a wireless communication system.

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 may, under the right set of circumstances and conditions be acceptable in certain specific locations.

A rezoning was approved for a Wireless Communication System on October 18, 2018 by Ordinance 2018-10-18-0842. The applicant has to rezone again because the location of the proposed tower is moving to the west by approximately 10 feet, which is considered a major amendment to the site plan.