



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-2488

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/6/2014

**Title:** ZONING CASE # Z2014080 (District 9): An Ordinance amending the Zoning District Boundary from "R-20" Residential Single-Family District to "NP-10" Neighborhood Preservation District on Lots 1, 2, 3, 4 and 5, Block 1, NCB 11670 located at 11303 and 11327 Dreamland. Staff and Zoning Commission recommend approval. (Continued from October 2, 2014)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Commission Minutes, 3. DRAFT ORDINANCE

Date	Ver.	Action By	Action	Result
11/6/2014	1	City Council A Session	Motion to Deny	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 9

**SUBJECT:**

Zoning Case Z2014080

**SUMMARY:**

**Current Zoning:** "R-20" Residential Single-Family District

**Requested Zoning:** "NP-10" Neighborhood Preservation District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 6, 2014

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Ted and Jerelene Lee

**Applicant:** Ted and Jerelene Lee

**Representative:** P.W. Christensen, P.C. (Patrick Christensen)

**Location:** 11303 and 11327 Dreamland

**Legal Description:** Lots 1, 2, 3, 4 and 5, Block 1, NCB 11670

**Total Acreage:** 4.352

**Notices Mailed**

**Owners of Property within 200 feet:** 41

**Neighborhood Associations:** Whispering Oaks Homeowners Association is located within 200 feet.

**Planning Team Members:** North Sector Plan - 41

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed in September of 1952 and was originally zoned “A” Single Family Residence District. In a 1991 City-initiated large-area rezoning case, the properties were rezoned to “R-8” Large Lot Home District. Upon the adoption of the 2001 Unified Development Code, the previous zoning district converted to the current “R-20” Residential Single-Family District. The property consists of five lots that were platted into the current configuration in 1944 (Volume 1625, page 249 of the Deed and Plat Records of Bexar County, Texas). One of the lots is developed as a single-family dwelling measuring approximately 2,574 square feet that was built in 1975.

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

**Adjacent Zoning and Land Uses**

**Direction:** Northwest

**Current Base Zoning:** “R-6”

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

**Direction:** Southwest

**Current Base Zoning:** “R-20”

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

**Direction:** Southeast across Dreamland

**Current Base Zoning:** “R-6”

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

**Direction:** Northeast across Lockhill-Selma Road

**Current Base Zoning:** “MF-33” and “MF-33 PUD”

**Current Land Uses:** Multi-Family Dwellings

**Overlay and Special District Information:** The subject property does not carry any overlay districts. The properties located to the northwest are located within in the “NCD-4” Whispering Oaks Neighborhood Conservation District. The “NCD-4” is an overlay zoning district that contains design guidelines for rehabilitation of existing residential development. Property owners, together with the Department of Planning and Community Development staff, developed the design guidelines. “NCD” guidelines can address building materials, height, size, massing, signage, sidewalk location, etc.

**Transportation**

**Thoroughfare:** Lockhill-Selma Road

**Existing Character:** Secondary Arterial Type B; two lanes in each direction with sidewalks.

**Proposed Changes:** None known

**Thoroughfare:** Dreamland

**Existing Character:** Local B; one lane in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** The VIA bus line 602 operates along Dreamland and VIA bus line 97 operates along Lockhill-Selma Road with a bus stop in the immediate vicinity of 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 for residential uses are determined by the number of dwelling units. Single-family residences are required to provide a minimum of one parking space per dwelling unit; there is no maximum parking allowance.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current residential zoning classification, restricting future land uses to those permissible in the “R-20” zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (7-1) 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 Sector Plan and is currently designated as Suburban Tier in the future land use component of the plan. The requested "NP-10" Neighborhood Preservation District is consistent with the adopted land use designation.

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

Staff finds no evidence of adverse impacts on neighboring lands in relation to this zoning change request. The requested zoning is similar to that of the surrounding residential subdivisions.

**3. Suitability as Presently Zoned:**

The existing “R-20” zoning district may be appropriate for the subject property; however, it is not listed as a related zoning district for the Suburban Tier land use designation in the North Sector Plan. The existing zoning is, however, consistent with the other properties located along the northwest side of Dreamland.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

Per UDC Section 35-310(d), new subdivisions that abut an established subdivision with “R-20” zoning must provide a buffer-lot that meets the minimum lot size of the “R-20” zoning district.

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

The request does not appear to conflict with any public policy objective. The North Sector Plan was adopted in August 5, 2010 and developed through a collaborative process that enabled individuals and organizations to share views about current community conditions and to work together to set future priorities.

Housing Goals and Strategies: Continued support for development of diverse housing stock using infill housing development between Loop 1604 and Loop 410.

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

The subject property is 4.352 acres in size, which should be able to reasonably accommodate the proposed single-family development. The "NP-10" district carries a minimum lot size of 10,000 square feet and allows a maximum of 4 dwelling units per acre. Should the zoning change request be approved, the subject property will accommodate a maximum of 16 dwelling units.

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

This property has been the subject of multiple previous zoning cases, most recently in 2008. The previous zoning request was for a similar pattern of development. In 2008, there was no adopted land use plan for the area. Staff and Zoning Commission recommended denial, and City Council denied the zoning change request. Since that time, staff analysis has been reformed to include the UDC's criteria for approval of a zoning change request. The first of seven criteria is consistency with the adopted land use plan, in accordance with the Texas Local Government Code. The North Sector Plan was adopted on August 5, 2010. The Planning Team stakeholders involved in the creation and adoption of the plan designated this area as Suburban Tier which allows for a concentrated blend of low to medium density residential, neighborhood and community commercial uses, with increased residential density and commercial intensity located along arterial thoroughfares (such as Lockhill Selma Road). The requested zoning and development pattern meets the objectives of the adopted plan.

The case was postponed on March 18, 2014. The owner submitted a revised request amending his application from "R-6 PUD" Residential Single-Family Planned Unit Development District to "NP-10" Neighborhood Preservation District.

The "NP-10" Neighborhood Preservation District requires a minimum lot size of 10,000 square feet.