



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1869

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 2/20/2018

**Title:** ZONING CASE # Z2018088 CD (Council District 7): A request for a change in zoning from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-20 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for four (4) Residential Dwelling Units on Lot 66B, Block B, NCB 11507, located at 211 West Cheryl Drive. Staff recommends Denial, with an Alternate Recommendation.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018088 CD

**SUMMARY:**

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

**Requested Zoning:** "R-20 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for four (4) residential dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 20, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** ABMF LLC

**Applicant:** Alex Triff

**Representative:** Alex Triff

**Location:** 211 West Cheryl Drive

**Legal Description:** Lot 66B, Block B, NCB 11507

**Total Acreage:** 0.7851

**Notices Mailed**

**Owners of Property within 200 feet:** 18

**Registered Neighborhood Associations within 200 feet:** University Park Neighborhood Association

**Applicable Agencies:** None.

**Property Details**

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

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Apartment Complex

**Direction:** East

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

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

**Direction:** South

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

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

**Direction:** West

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

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

**Overlay and Special District Information:**

"AHOD"

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 Cheryl Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Bandera Road

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 88 and 288 are 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:**

The minimum parking requirement is 1.5 parking spaces per residential unit which would be a total of six parking spaces for the proposed four units.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-5”, which permits 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 property is not located within a designated Regional Center. The property is within a ½ of a mile of the Bandera Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial with an Alternate Recommendation for "R-20 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for three (3) residential dwelling units.

**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 West/Southwest Sector Plan and is currently designated as “Rural Estate Tier” in the future land use component of the plan. The requested “R-20” base zoning district is consistent with the future land use designation.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The property currently has 3 units located in the rear of the property. The additional unit would increase the density and could have adverse impacts on the surrounding properties.

**3. Suitability as Presently Zoned:**

The current “R-5” zoning is an appropriate base zoning for the property and the surrounding area, however the future land use designation for the area is “Rural Estate Tier”, which is not consistent with the current “R-5” base zoning of the property. The property would have to be rezoned to “R-20” base zoning in order to be in alignment with the future land use designation.

#### **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 proposed rezoning does appear to conflict with the goals, principles, and objectives of the West/Southwest Sector Plan. The surrounding area does include a mix of single and multi-family residences; however the multi-family properties are larger complexes with one fronting Bandera Road. The introduction of more density within the neighborhood could negatively impact the neighborhood.

Relevant goals of the West/Southwest Sector Plan:

- Goal HOU-1 - Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
- HOU-1.3 - Preserve rural homesteads as part of the mix of housing choices

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

The subject property is 0.7851 of an acre, which could accommodate the proposed four residential units.

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

The purpose of the Conditional Use 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 which may under the right set of circumstances and conditions be acceptable in certain specific locations.

The property was approved for a Nonconforming Use permit for the existing triplex on January 13, 1997. The new property owner was unable to meet the criteria to renew the nonconforming use for the property.