



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1324

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/17/2019

**Title:** ZONING CASE # Z-2018-900054 CD (Council District 7): Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "R-6 CD" Residential Single-Family District with Conditional Use for a Daycare on Lot 1, Block 2, NCB 18315, located at 7700 Tezel Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z-2018-900054 CD

**SUMMARY:**

**Current Zoning:** "R-6" Residential Single-Family District

**Requested Zoning:** "R-6 CD" Residential Single-Family District with Conditional Use for a Daycare

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 18, 2018

**Case Manager:** Dominic Silva, Planner

**Property Owner:** Jeffrey Johnson

**Applicant:** Christian Smithroat

**Representative:** Christian Smithroat

**Location:** 7700 Tezel Road

**Legal Description:** Lot 1, Block 2, NCB 18315

**Total Acreage:** 5.0

**Notices Mailed**

**Owners of Property within 200 feet:** 29

**Registered Neighborhood Associations within 200 feet:** Village in the Woods Homeowners Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was originally Temporary “R-1” Residential District, established by Ordinance 33412, dated June 28, 1965. Upon the adoption of the 2001 Unified Development Code, the previous “R-1” converted to the current “R-6” Residential Single-Family District.

**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-4”

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** “R-5 PUD”

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** “C-2NA S”

**Current Land Uses:** Storage Units

**Direction:** West

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Retail Center

**Overlay and Special District Information:**

**Transportation**

**Thoroughfare:** Tezel

**Existing Character:** Minor

**Proposed Changes:** None Known

**Public Transit:** No VIA bus routes are within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:**

The minimum number of parking spaces for a day care center is 1 per 375 sf GFA

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-6”. These districts provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character. 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.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The property is not located within a Regional Center or half a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 Northwest Plan and is currently designated as “Public Institutional” in the future land use component of the plan. The requested “R-6” base zoning 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 due to its proximity to residential single-family subdivisions.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family is an appropriate zoning for the property. It is a current church facility and a portion is being sold for daycare operations that are separate or apart from the church functions. The proposed “R-6 CD” maintains the base residential district and allows for the one additional use as a daycare. Daycares are uses that are typically located near or adjacent to residential subdivisions.

**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 appear to conflict with the following goals, principles, and objectives of the Northwest Community Plan.

Northwest Community Plan Relevant Goals and Objectives:

- Promote a shared facilities approach that combines schools, libraries and parks.
- Work with developers to plan to dedicate land for future school sites, and promote co-location of schools, libraries, parks, and other community facilities

- Discourage commercial strip development

**6. Size of Tract:**

The subject property is 5.0 acres, adequately supports the church use and will also accommodate the daycare.

**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.