



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4027  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 7/21/2020  
**Title:** ZONING CASE Z-2020-10700139 CD (Council District 1): A request for a change in zoning from "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Duplex to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for 4 (four) Dwelling Units, on Lots 46, 47 and 48, Block 3, NCB 6842, located at 1551 West Mistletoe Avenue. Staff recommends Denial. (Victoria Castro, Planner, (210) 207-2736, Victoria.Castro@Sanantonio.gov, Development Services).  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Map, 2. ZC\_Z2020-10700139\_Site Plan

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**  
Zoning Case Z2020-10700139 CD

**SUMMARY:**  
**Current Zoning:** "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Duplex.

**Requested Zoning:** "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use to allow Four (4) Dwelling Units.

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** July 21, 2020

**Case Manager:** Victoria Castro, Planner

**Property Owner:** Christopher M. Pryor

**Applicant:** Frances Marriott

**Representative:** Frances Marriott

**Location:** 1551 West Mistletoe Avenue

**Legal Description:** Lots 46, 47 and 48, Block 3, NCB 6482

**Total Acreage:** 0.2359

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Jefferson Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The property was originally zoned "A" Single Family Residence District, due to it being in the Original 36 square miles. The subject property was rezoned by Ordinance 64079, dated November 20, 1986, from "A" Single Family Residence District to "R-1" S.U.P. One Family Residence Special Use Permit for a Duplex District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-1" S.U.P. One Family Residence Special Use Permit for a Duplex District converted to the current "R-6 CD" Residential Single-Family District with Conditional Use for a Duplex.

**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:** "R-6"

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

**Direction:** East

**Current Base Zoning:** "R-6" and "R-6 CD"

**Current Land Uses:** Single-Family Residences and Duplex

**Direction:** South

**Current Base Zoning:** "R-6" and "R-6 HL"

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

**Direction:** West

**Current Base Zoning:** "R-6" and "MF-33"

**Current Land Uses:** Single-Family Residences and Multi-Family

**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 Mistletoe Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** North Calaveras Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** 90 and 100

**Traffic Impact:** Traffic Impact Analysis (TIA) can't be determined at this time.

**Parking Information:** The parking requirement for a single family dwelling is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning district designation of “R-6 CD” is designed to allow a single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The “CD” Conditional Use allows for a duplex.

**Proposed:** The proposed zoning district designation of “R-6 CD” is designed to allow a single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The “CD” Conditional Use would allow Four (4) Dwelling Units.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The property is not within a Regional Center and is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 Near Northwest Community Plan and is currently designated as “Medium Density Residential” in the land use component of the plan. The requested “R-6” base zoning district is consistent with the adopted land use designation.

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

Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change

request. The requested “R-6 CD” allows for development of 4 (four) Dwelling Units, which is not consistent with the established development pattern of the area.

**3. Suitability as Presently Zoned:**

The current “R-6” base zoning is consistent with the surrounding properties to the East, West, South and North of the subject property. It is also consistent with the Near Northwest Community Plan objective to encourage housing development that is compatible with the community’s character. The current community’s character is a maximum of two (2) dwelling units per lot. Therefore, the proposed “R-6 CD” with a Conditional Use for Four (4) Dwelling Units is not appropriate for this property, since it would introduce a higher density that is not currently established in the area.

**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 request does appear to conflict with any public policy objective of the Near Northwest Community Plan, which encourages the following:

**Land Use Plan** - If a structure was built as a single-family use and currently is used as a multi-family structure, the neighborhoods’ highest preference is for the house to return to a single-family use.

**3.4.1** - Encourage developments to reflect the character of the surrounding areas.

**6. Size of Tract:**

The 0.2359 acre site is not of sufficient size to accommodate the proposed residential development.

**7. Other Factors:**

The applicant is requesting to rezone from “R-6 CD” to “R-6 CD”, in order to transform the property from Two (2) Dwelling Units, into Four (4) Dwelling Units.