



# City of San Antonio

## Agenda Memorandum

**File Number:**19-1008

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**Agenda Item Number:** Z-42.

**Agenda Date:** 1/17/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2018256

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 21, 2018. This case is continued from the August 7, 2018 hearing.

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Reza Sehat

**Applicant:** Reza Sehat

**Representative:** Reza Sehat

**Location:** 2311 Westward Drive

**Legal Description:** Lot 15, Block 1, NCB 15586

**Total Acreage:** 0.3124

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Cable-Westwood Neighborhood Association and Lackland Terrace Neighborhood Association

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 24, 1964, established by Ordinance 32613. The property was zoned "Temporary R-1" Temporary Residence District. Upon adoption of the 2001 Unified Development Code, the zoning converted to the current "R-6" base zoning district, established by Ordinance 93881, dated May 3, 2001.

**Topography:** The subject property is located within the Leon Creek Watershed and is within a Mandatory Detention Area.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

**Current Land Uses:** Drainage R.O.W., Duplex, Single-Family Residential

**Direction:** East

**Current Base Zoning:** C-2NA, C-2

**Current Land Uses:** Vacant Lots, Retail Shops

**Direction:** South

**Current Base Zoning:** C-2NA, R-6

**Current Land Uses:** Single-Family Residential, Vacant Lot

**Direction:** West

**Current Base Zoning:** R-6

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

**Overlay and Special District Information:** 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:** Westward Drive

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are multiple bus stops within walking distance located on West Military Drive and Westfield Drive along Bus Routes 613, 615, and 617.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is required.

**Parking Information:** Commercial zoning allows a variety of uses, all of which have their own respective parking requirements. Parking requirements can be found in the Unified Development Code, as per Table 526-3b.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-6” base zoning district permits single-family dwellings (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.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center. The subject property is located within a half-mile of the Commerce-Houston Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation for “R-6 CD” Residential Single-Family with Conditional Use for a Noncommercial Parking Lot. Zoning Commission (8-3) 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 West/Southwest Sector Land Use Plan and is currently designated as “General Urban Tier” in the land use component of the plan. The requested “C-2NA” 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 proposed use is not consistent with the established development pattern of the surrounding area. There is currently commercial zoning directly abutting the subject property to the east, however further encroachment of commercial uses could have an adverse impact on the existing established neighborhood.

**3. Suitability as Presently Zoned:**

The existing “R-6” base zoning district is appropriate for the surrounding area. While there is commercial zoning to the east of the property, there are also single-family residential uses located to the west of the property. If the zone change request is approved, the subject property will likely result in the demolition of the existing residential structure. There is concern with the loss of housing stock and potential for commercial encroachment into the residential neighborhood. Therefore, staff recommends keeping the base residential district but including a conditional use, so that the applicant can utilize parking for the proposed adjacent commercial use. This will keep the commercial zoning from further encroaching into the neighborhood, but allows the applicant to develop the needed parking.

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

Staff has found potential indication of likely adverse effects on the public health, safety, or welfare. The proposed use has the potential to draw more traffic, noise and business activity to an established residential area. Commercial zoning is more appropriate along West Military Drive.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The requested “C-2NA” base zoning district is consistent with the “General Urban Tier” future land use designation of the West/Southwest Sector Plan.

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

The 0.3124 acre site is of sufficient size to accommodate the proposed development. There is an existing single-family residence on the subject property which would likely be demolished in order to accommodate the proposed commercial development.

## **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.

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

Staff's recommendation of a Conditional Use for this property is to allow for a noncommercial parking lot that abuts an existing single-family residence. In this instance, the "CD" allows for individual site consideration with any necessary conditions to allow for a use that would not normally be allowed in a residential area.

If the applicant accepts staff's recommendation, the following Conditions are also recommended:

- 1) A six foot solid screen fence along residential uses.
- 2) No temporary signage, pennant flags, wind-wavers, and/or snipe signage.
- 3) A 15-foot landscape buffer yard shall be required along the west property line.
- 4) Downward lighting shall be pointed away from residential uses.