



# City of San Antonio

## Agenda Memorandum

**File Number:**19-2407

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**Agenda Item Number:** 16.

**Agenda Date:** 3/5/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2019-10700018 CD

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for four (4) residential dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 5, 2019

**Case Manager:** Dominic Silva, Planner

**Property Owner:** Humza Chowdhry

**Applicant:** Andres Santos

**Representative:** Andres Santos

**Location:** 838 Peabody Avenue

**Legal Description:** Lot 10, Block 37, NCB 8926

**Total Acreage:** 0.15

**Notices Mailed**

**Owners of Property within 200 feet:** 38

**Registered Neighborhood Associations within 200 feet:** Quintana Community Neighborhood Association  
**Applicable Agencies:** Lackland Air Force Base

### **Property Details**

**Property History:** The subject properties were not included in the original 36 square miles of the City of San Antonio and were originally zoned "R-1" Single Family Residential District by Ordinance 47762. The "R-1" Single Family Residential District converted to the current "R-6" Single-Family Residential District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**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-6"

**Current Land Uses:** Residential

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** South

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

**Current Land Uses:** Residential

**Direction:** West

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

**Current Land Uses:** Residential

### **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:** Peabody Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 251, 515, 524

**Thoroughfare:** Spindle Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 251, 515, 524

**Traffic Impact:** A Traffic Impact Analysis is required.

**Parking Information:** 1 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject properties retaining the present zoning district designations. Examples of permitted uses within “R-6” are single-family residential with a minimum lot size of 6,000 square feet and uses such as foster homes and public/private schools.

**FISCAL IMPACT:**

None.

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

The subject property is located within ½ a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Kelly/South San Pueblo Community Plan, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-6” base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed development is for four (4) dwelling units; the property is located on a corner lot of Spindle Avenue and Peabody Avenue and will be adhering to all setback and parking requirements.

**3. Suitability as Presently Zoned:**

The current “R-6” Single-Family Residential District is an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” maintains the base zoning, while allowing additional consideration of a conditional use for additional residential units.

**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 rezoning request does not appear to conflict with the land use goals and strategies of the Kelly/South San Pueblo Community Plan.

Kelly/South San Pueblo Community Plan Goals:

Goal 7.2: Attract new businesses to the Eastern Triangle

Goal 9.1: Increase range of family oriented businesses and services within the Eastern Triangle.

**6. Size of Tract:**

The subject property is .2250 acres, which would adequately support residential uses.

**7. Other Factors:**

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.

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.