



# City of San Antonio

## Agenda Memorandum

**File Number:**19-3669

---

**Agenda Item Number:** 7.

**Agenda Date:** 5/7/2019

**In Control:** Zoning Commission

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700062 CD

(Associated Plan Amendment Case PA-2019-11600025)

**SUMMARY:**

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

**Requested Zoning:** "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) residential dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 7, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Jupiter Landscape, LLC

**Applicant:** Jupiter Landscape, LLC

**Representative:** Jupiter Landscape, LLC

**Location:** 1837 Santa Monica Street

**Legal Description:** Lot 19, Block 37, NCB 8805

**Total Acreage:** 0.137

**Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** Los Angeles Heights Neighborhood Association

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The subject property was annexed into the City Limits on May 13, 1945 and was originally zoned “R-1” Single Family Residence District. Upon the adoption of the 2001 Unified Development Code, the previous “R-1” Single Family Residence District base zoning district 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:** “C-1” and “R-4”

**Current Land Uses:** Commercial and Single-Family Residential uses

**Direction:** East

**Current Base Zoning:** “R-4”

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

**Direction:** South

**Current Base Zoning:** “C-1” and “R-4”

**Current Land Uses:** Commercial and Single-Family Residential uses

**Direction:** West

**Current Base Zoning:** “C-1”

**Current Land Uses:** Commercial uses

**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:** Santa Monica

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 97

**Traffic Impact:** A Traffic Impact Analysis (TIA) determination cannot be determined at this time.

**Parking Information:**

The minimum parking space requirement for Single Family-Residential use is one space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-4.” This district accommodates single-family dwelling (detached) with a minimum lot size of

4,000 square feet and a minimum lot width of 35 feet, foster family home, nursery (1 acre minimum public and private schools).

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is located within a half mile of (2) two Premium Transit Corridors (Fredricksburg Road and Hildebrand Avenue).

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Plan and is currently designated as “Office” in the future land use component of the plan. The requested “R-6” base zoning district is not consistent with the future land use designation. The applicant is seeking a Plan Amendment to “Urban Low Density Residential.” Staff recommends Approval of the Plan Amendment. The Planning Commission recommendation is pending the May 8, 2019 hearing.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed Conditional Use allows consideration of the additional residential unit.

**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 Near Northwest Plan:

- Encourage investment in housing improvement and maintenance
- Encourage new housing development that is compatible with the community’s character

**6. Size of Tract:**

The subject property is 0.137 acres, which adequately supports residential use.

**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.

