



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 7, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 7

**SUBJECT:**

ZONING CASE Z-2024-10700207 CD

**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 Day Care Center

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** Trinity Methodist Church

**Applicant:** Federico Perez

**Representative:** Tony Aguilar

**Location:** 5319 Newcome in the 6800 block of Wurzbach Road

**Legal Description:** 1.03 acres out of NCB 14600

**Total Acreage:** 1.03 acres

**Notices Mailed****Owners of Property within 200 feet:** 22**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** N/A**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 41425, dated December 25, 1972, and zoned "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

**Code & Permitting Details:** There is no code enforcement of permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "R-6"**Current Land Uses:** Single Family Dwellings**Direction:** South**Current Base Zoning:** "R-6"**Current Land Uses:** Single Family Dwellings**Direction:** East**Current Base Zoning:** "R-6"**Current Land Uses:** Single Family Dwellings**Direction:** West**Current Base Zoning:** "R-6"**Current Land Uses:** Single-Family Dwellings, Farmer's Market, School, Church**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** Wurzbach Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known.

**Thoroughfare:** Newcombe Drive

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 534, 607.

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for a Day Care Center is 1 vehicle space per 375 sf GFA and the maximum parking requirement for a Day Care Center is 1.5 vehicle spaces per 375 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family District permits 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.

Proposed Zoning: “R-6 CD” Residential Single-Family District permits 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 Conditional Use is to allow for a Day Care Center.

**FISCAL IMPACT:**

None.

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

Subject property is within the Medical Center Regional Center and is not located within ½ a mile from a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

- 1. Consistency:** The subject property is located within the Medical Center Area Regional Center Plan, adopted October 2019, and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “R-6 CD” base zoning district is consistent with the future land use designation.
- 2. Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are “R-6.”
- 3. Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” Residential Single-Family District with a Conditional Use for Day Care Center is also an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” zoning would preserve the existing residential zoning, which is in character of the surrounding area, and would allow the additional use for a Day Care Center. The property accommodates an existing church and is appropriately located at the intersection of an arterial street, preventing traffic buildup on the local residential streets.
- 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 not appear to conflict with any public policy objectives of the Medical Center Area Regional Center Plan:
  - **Economic Development Recommendation #2:** Create a wider variety of uses, amenities, and attractions in the Medical Center Area to support and attract a greater diversity of residents, employees, and visitors.
  - **Focus Areas Recommendation #1:** : Update zoning and design standards to support the unique vision for each focus area, create high-quality places, support transportation choices, and avoid impacts to sensitive natural features.
- 6. Size of Tract:** The 1.03-acre site is of sufficient size to accommodate the proposed residential 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 applicant is rezoning to develop a Day Care Center.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.