



City of San Antonio

Agenda Memorandum

File Number:
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Agenda Item Number: {{item.number}}

Agenda Date: May 21, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 9

SUBJECT:
ZONING CASE Z-2024-10700057 CD ERZD

SUMMARY:

Current Zoning: "R-6 MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District

Requested Zoning: "R-6 CD MLOD-1 MLR-2 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Conditional Use for Assisted Living Facility up to 16 residents

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 21, 2024

Case Manager: Alexa Retana, Zoning Planner

Property Owner: Laura Daniels

Applicant: Laura Daniels

Representative: Lianne McClure

Location: 1802 Poppy Peak.

Legal Description: Lots 1 and 2, Block 15, NCB 14819

Total Acreage: 0.4949 acres

Notices Mailed

Owners of Property within 200 feet: 23

Registered Neighborhood Associations within 200 feet: NA

Applicable Agencies: Planning Department, Camp Bullis Army Base, San Antonio Water System

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 41429, dated December 25, 1972, and zoned "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

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: Residential Dwellings

Direction: South

Current Base Zoning: R-6

Current Land Uses: Residential Dwellings

Direction: East

Current Base Zoning: R-6

Current Land Uses: Residential Dwellings

Direction: West

Current Base Zoning: R-6

Current Land Uses: Residential Dwellings

Overlay District Information:

The "ERZD" Edwards Recharge Zone District does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio

Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the “ERZD”. The "MLOD-1" Camp Bullis Military Lighting Overlay District does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

Special District Information:

No special district information.

Transportation

Thoroughfare: Poppy Peak Drive
Existing Character: Local Street
Proposed Changes: None Known

Thoroughfare: Mt Everest Drive
Existing Character: Local Street
Proposed Changes: None Known

Public Transit: There are no VIA bus routes within walking distance of the subject property.

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 an assisted living facility is 0.3 parking spaces per bed plus 1 space for each employee.

Thoroughfare: Poppy Peak Drive
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Proposed Changes: None Known

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ISSUE:

None.

ALTERNATIVES:

Current Zoning: 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: 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of 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 approval criteria below.

1. **Consistency:** The subject property is located within the North Sector Plan, adopted August 2010, and is currently designated as “Suburban Tier” 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 find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is inconsistent with the established residential development pattern of the surrounding area. Surrounding properties are “R-6” with no additional density.
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 “R-6 CD” Residential Single-Family District with a Conditional Use for an Assisted Living Facility up to sixteen (16) residents is not. The property is situated in a predominately residential area with single-family zoning designations and uses. The use of “Assisted Living Facility up to sixteen (16) residents” is typically permitted within commercial districts, aligning it more as commercial in use. Introducing this density and use within the middle of a neighborhood leaves surrounding residential properties susceptible to encroachment of a commercial use.
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 objectives of the Comprehensive Master Plan: • GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development. • GCF G1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors. North Sector Plan: • LU-1.1 Locate buffers between high density/intensity land uses that are potentially incompatible. • LU-6.5 Encourage development that is visually and functionally compatible with its surrounding neighborhoods by maintaining a massing and density of development that is compatible with adjacent developed neighborhoods.
6. **Size of Tract:** The subject property is 0.4949 acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors** The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request. Based on the information provided to SAWS staff, SAWS identifies the subject property as a Category 1 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 50% on the site. Reference SAWS report dated April 29, 2024. 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 intends to rezone to "R-6 CD" to develop an assisted living facility, at a maximum capacity of 16 residents. The following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council: A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure. B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood. C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.