



City of San Antonio

Agenda Memorandum

Agenda Date: December 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2023-10700160 CD

SUMMARY:

Current Zoning: "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office

Requested Zoning: "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Food Service Establishment

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 17, 2023. This item was continued at the October 3, 2023 hearing.

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Adriana Castillo

Applicant: Adriana Castillo

Representative: Adriana Castillo

Location: 2419 Basse Road

Legal Description: Lot 32, Block 2, NCB 9666

Total Acreage: 0.2025 acres

Notices Mailed

Owners of Property within 200 feet: 26

Registered Neighborhood Associations within 200 feet: North Central Neighborhood Association

Applicable Agencies: Planning Department

Property Details

Property History: The subject property was annexed into the City of San Antonio Ordinance 9565, dated May 11, 1949, and was originally zoned "B" Residence District. Under the 2001 Unified Development Code (UDC), established by Ordinance 93881, dated May 3, 2001, the property zoned "B" Residence District converted to "R-4" Residential Single-Family District. The property was rezoned by Ordinance 2013-05-16-0341, dated May 16, 2013, to "R-4 CD" Residential Single-Family District with a Conditional Use for a Professional Office.

Code & Permitting Details:

There is no code enforcement or permitting history for the subject property.

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-4"

Current Land Uses: Residential dwelling

Direction: South

Current Base Zoning: "C-1 CD" for Auto Repair Facility, "R-6"

Current Land Uses: Water damage restoration service, Residential dwelling

Direction: East

Current Base Zoning: "R-4"

Current Land Uses: Residential dwelling

Direction: West

Current Base Zoning: "C-2" "C-2 CD" for Motor Vehicle Sales

Current Land Uses: Restaurant, Salon

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:

No special district information.

Transportation

Thoroughfare: South Presa Street

Existing Character: Secondary Arterial Type A

Proposed Changes: None Known

Thoroughfare: Encino Street

Existing Character: Local Street

Proposed Changes: None Known

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

Routes Served: 97, 296, 505

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 food service establishment is 1 parking space per 100 square/feet of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-4” Residential Single-Family District permits 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, public and private schools. The current “CD” Conditional Use permits a professional office on the property.

Proposed Zoning: “R-4 CD” Residential Single-Family District permits 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, public and private schools.

If approved, the “CD” Conditional Use would permit a food service establishment on the property.

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. Zoning Commission recommends Approval, with Conditions.

Conditions:

- Hours of Operation: 6:00 AM- 10:00 PM

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 Greater Dellview Area Community Plan, adopted in September 2005, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-4 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 does not align with the established development pattern of the surrounding area. The property is located on the block of an established single-family neighborhood.
- 3. Suitability as Presently Zoned:** The current "R-4 CD" Residential Single-Family with a Conditional Use for a Professional Office is an appropriate zoning for the property and surrounding area. The proposed "R-4 CD" Residential Single-Family with a Conditional Use for a Food Service Establishment is not appropriate. There are light to medium commercial uses in proximity to the subject property, and the property is at the intersection of a local street and Secondary Arterial Type A. However, the property sits on a block face with an established single-family residential neighborhood. The current Conditional Use on the property permits a professional office, which is less intense of a commercial use than the proposed food service establishment. The office use also has a lower parking minimum, generates and less traffic and is more appropriate to the block’s development pattern.
- 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 Greater Dellview Area Community Plan.

Relevant Goals and Policies of the Comprehensive Plan may include:

- JEC Goal 2: Traditional and targeted growth industries support San Antonio’s diversified economy and provide a wide range of job opportunities.
- H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.

Relevant Goals and Policies of the Greater Dellview Area Community Plan may include:

- Goal 2: Neighborhood Commercial Revitalization: Promote the growth and development of local businesses and create attractive and viable commercial environments that draw new customers and diverse businesses.
- Objective 2.4: Small Business Development: Foster an environment that promotes, encourages, and supports small business development.
- Objective 3.2: Reuse and Retrofit: Promote and facilitate the revitalization of existing commercial strip centers and sites in the planning area.
- Goal 5: Housing Promote a community of abundant, diverse, affordable, and quality housing stock while diminishing obstacles to home ownership and long term investment in the area
- Objective 5.1: Housing Quality and Quantity Promote an attractive environment for homeownership by ensuring maintenance of existing housing stock, reinvestment and rehabilitation of deteriorating housing stock, and the promotion and development of new housing stock.
- Objective 5.2: Housing Design Standards and Certainty Promote best urban planning and design practices and ensure that housing upgrades and new developments are consistent with the characteristics of existing valued development.

6. **Size of Tract:** The subject property is 0.2025 acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to “R-4 CD” to develop a restaurant within the existing primary structure. There is a detached structure on the property that will retain residential uses.

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