



City of San Antonio

Agenda Memorandum

Agenda Date: September 5, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2023-10700073 CD

SUMMARY:
Current Zoning: "R-5" Residential Single-Family District

Requested Zoning: "R-5 CD" Residential Single-Family District with a Conditional Use for a Professional Office

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: September 5, 2023. This case was continued from August 1, 2023.

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Oganesson 118 TX LLC

Applicant: Oganesson 118 TX LLC

Representative: Killen, Griffin and Farrimond, PLLC

Location: 5118 Vance Jackson Road

Legal Description: Lot 16, NCB 11641

Total Acreage: 0.9 acres

Notices Mailed

Owners of Property within 200 feet: 27

Registered Neighborhood Associations within 200 feet: There are no registered Neighborhood Associations within 200 feet

Applicable Agencies: Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned “A” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “A” Single-Family Residence District converted to the current “R-5” Residential Single-Family District.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: R-5

Current Land Uses: Single-Family Dwelling

Direction: East

Current Base Zoning: R-6

Current Land Uses: Single-Family Dwelling

Direction: South

Current Base Zoning: R-6

Current Land Uses: Single-Family Dwelling

Direction: West

Current Base Zoning: R-5

Current Land Uses: Single-Family Dwelling

Overlay District Information:

None.

Special District Information:

None.

Transportation

Thoroughfare: Vance Jackson Road

Existing Character: Secondary Arterial A

Proposed Changes: None Known

Thoroughfare: Callaghan Road
Existing Character: Secondary Arterial A
Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property.
Routes Served: 96, 602

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for a professional office is 1 per 300 sf GFA. The maximum parking requirement for a professional office is 1 per 140 sf GFA.

ISSUE:
None.

ALTERNATIVES:

Current Zoning: "R-5" Residential Single-Family allows Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

Proposed Zoning: "R-5" Residential Single-Family allows Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

The "CD" Conditional Use will allow a Professional Office.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located with a Regional Center or within ½ a mile from the 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 and is currently designated as "Suburban Tier" in the future land use component of the plan. The requested "R-5" base zoning district is consistent with the future land use designation.

2. **Adverse Impacts on Neighboring Lands:** Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. The entire area is large lot single-family.
3. **Suitability as Presently Zoned:** The existing “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "R-5 CD" Residential Single-Family District with a Conditional Use for a Professional Office is not an appropriate zoning for the property and surrounding area. The property is situated on a block comprised entirely of residential properties. While conditions could be added to request buffers, fencing, lighting and hours of operation, the rezoning appears to be completely out of character with the surrounding properties and introduces commercial encroachment into a primarily residential area.
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 North Sector Plan.
 - LU-1.1 Locate buffers between high density/intensity land uses that are potentially incompatible.
 - LU-1.5 Promote flexibility and innovation in residential, business and recreational land uses through planned unit developments, conservation subdivisions, specific plans, mixed use projects, and other innovative development and land use planning techniques.
 - 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 0.9 acre site is of sufficient size to accommodate the proposed 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 continue to operate a Professional Office.

The zoning request includes a request for nonresidential uses adjacent (refer to definition in Appendix A as there is a different between abutting and adjacent) to an existing single family residential use, the applicant is required to construct and maintain a 6-foot solid screen fence, prior to obtaining a Certificate of Occupancy, per Section 35-514(d). The applicant can request City Council modify or exempt this requirement.

For properties that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single-family district within 50 feet of the property line.