



City of San Antonio

Agenda Memorandum

Agenda Date: October 3, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2023-10700213 CD S

SUMMARY:
Current Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "R-4 CD S AHOD" Residential Single-Family District Airport Hazard Overlay District with a Conditional Use for Noncommercial Parking Lot and Specific Use Authorization for a Parking Lot as a Primary Use

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: October 3, 2023

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: Jesse A. Sepulveda

Applicant: Jesse A. Sepulveda

Representative: Killen, Griffin & Farrimond

Location: 1802 & 1806 West Wildwood

Legal Description: Lots 9 and 10, Block 117, NCB 8813

Total Acreage: 0.2754

Notices Mailed

Owners of Property within 200 feet: 32

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

Applicable Agencies: Office of Historic Preservation, Planning Department, Texas Department of Transportation

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 1845, dated May 5, 1940, and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single Family District.

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 floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-1" and "O-2"

Current Land Uses: Offices

Direction: East

Current Base Zoning: "C-2"

Current Land Uses: Car Dealership

Direction: South

Current Base Zoning: "R-4"

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: "R-4"

Current Land Uses: Residential Dwelling

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:

None.

Transportation

Thoroughfare: West Wildwood Drive

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Brad

Existing Character: Local

Proposed Changes: None known.

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 97, 296

Traffic Impact: 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 parking lot is not applicable.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-4" Residential Single-Family District permits 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.

Proposed Zoning: "R-4 CD S" Residential Single-Family District permits 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 request for Conditional Use is for a Noncommercial Parking Lot and a Specific Use Authorization for a Parking Lot as a Primary Use requiring demolition of dwelling units.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center and not within a ½ mile of any 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 Near Northwest Community Plan, adopted February 2002, and is currently designated as "Urban Low Density Residential" in the future land use component of the plan. The requested "R-4" 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 proposed "R-4 CD S" would require the demolition of a residential dwelling.
3. **Suitability as Presently Zoned:** The existing "R-4" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "R-4 CD S" Residential Single-Family District with a Conditional Use for Noncommercial Parking Lot and Specific Use Authorization for a Parking Lot as a Primary Use is not an appropriate zoning for the property and surrounding area. The adjacent properties which share the same block as the subject property are zoned "R-4" Residential Single-Family District, with established single-family residential. There are commercial zoned properties on the opposite side of the block face, but they're located along West Avenue, an established commercial corridor. Although the proposed "R-4 CD S" base zoning maintains the surrounding base zoning of "R-4", the use would not be residential and may set the precedence for future commercial encroachment that could be potentially detrimental to the established residential character of the 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 public policy objectives of the Near Northwest Community Plan. Relevant Goals and Policies of the Comprehensive Plan may include:
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.
 - H P14: Provide incentives in targeted areas to encourage development of housing types that are in undersupply.
 - H P25: Invest in neighborhood amenities and infrastructure that will benefit existing residents while attracting new residents to underserved areas.
 - H P30: Ensure infill development is compatible with existing neighborhoods.
6. **Size of Tract:** The 0.2754 acre site is of sufficient size to reasonably accommodate the proposed parking lot development.
7. **Other Factors:** The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The Specific Use Authorization is required by UDC Sec 35-384(b) for parking lots which require the demolition of a dwelling unit. The specific use authorization shall be approved only if one of the following standards are met:

- (1) The proposed conversion is located within an area classified as commercial, office, industrial, or similar classification in a land use plan adopted pursuant to section 35-420 of this chapter; or
- (2) The structure proposed to be removed cannot reasonably be used or restored to habitable condition; or
- (3) The proposed parking is needed and there are no reasonable alternatives for the proposed parking lot for which the demolition is required; or
- (4) The proposed parking area will not promote residential disinvestment or promote further conversions of residences to nonresidential purposes.

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 parking lot as a primary use.