



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 16, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**

ZONING CASE Z-2022-10700175 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 Assisted Living Facility with no more than nine (9) residents

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 16, 2022. This case is continued from the August 2, 2022 hearing.

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** Loan Negrila

**Applicant:** Jimmy Caldwell

**Representative:** Jimmy Caldwell

**Location:** 5118 Campe Verde Drive

**Legal Description:** Lot 17, Block 6, NCB 16677

**Total Acreage:** 0.2071 acres

**Notices Mailed****Owners of Property within 200 feet:** 9**Registered Neighborhood Associations within 200 feet:** Valencia Homeowners Association**Applicable Agencies:** NA**Property Details****Property History:**

The subject property is currently zoned "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District. The property was annexed into the City of San Antonio by Ordinance 41430 dated December 25, 1972, and originally zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 66918, dated April 7, 1988, to "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.

**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 Dwelling**Direction:** South**Current Base Zoning:** "R-6"**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** "R-6"**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** "R-6"**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:** Campe Verde Drive

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** NA

**Traffic Impact:** Preliminary Review Only - Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

**\*\*The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\***

A TIA Report is not required.

**Parking Information:** The minimum parking requirement for assisted living facilities are 0.3 parking spaces per bed, plus 1 parking space for each employee.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-family allows dwellings (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 allows dwellings (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 "CD" Conditional Use would permit an assisted living facility with a total of nine (9) residents.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within a ½ mile of the Austin Highway 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-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 not consistent with the established development pattern of the surrounding area and would add a layer of intensity that is inappropriate for a residential neighborhood.
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 Assisted Living Facility with no more than nine (9) residents is not appropriate. Generally, Assisted Living for more than six (6) residents is permitted in areas with commercial and multi-family zoning designations. In this case the property is “R-6” Residential Single-Family and is an interior lot within a neighborhood predominantly comprised of single-family residences.
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:
  - HOU- 1.1 Promote innovative allowances that expand the variety of housing types and embraces flexible standards
  - HOU- 1.2: Encourage compatible residential growth patterns and transitions
  - HOU- 2.1: Focus high density residential near activity centers
  - HOU- 2.3: Utilize high density residential as a buffer
  - HOU-2.4: Consider high density housing as a land use transition
6. **Size of Tract:** The subject property is 0.2071 acres, which could accommodate the proposed development.
7. **Other Factors** The applicant intends to develop the subject property into an assisted living facility, with a maximum of nine (9) residents.

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.