



City of San Antonio

Agenda Memorandum

Agenda Date: November 16, 2021

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:
ZONING CASE Z-2021-10700275 CD

SUMMARY:
Current Zoning: "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: November 16, 2021

Case Manager: Rebecca Rodriguez, Planner

Property Owner: Elaine Zavala

Applicant: Yolanda Zavala

Representative: Yolanda Zavala

Location: 9146 Ridge Path

Legal Description: Lot 13, Block 6, NCB 18484

Total Acreage: 0.153

Notices Mailed**Owners of Property within 200 feet:** 40**Registered Neighborhood Associations within 200 feet:** Great Northwest Community Improvement Association**Applicable Agencies:** None**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 79037, dated December 31, 1993, and zoned TEMP "R-1" Single-Family Residence District. The property was rezoned by Ordinance 81169, dated November 10, 1994, to "R-5" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-5" 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 Residence**Direction:** South**Current Base Zoning:** R-6**Current Land Uses:** Single-Family Residence**Direction:** East**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residence**Direction:** West**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residence**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:** Ridge Path

Existing Character: Local
Proposed Changes: None

Thoroughfare: Ridge Post
Existing Character: Local
Proposed Changes: None

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

Traffic Impact: ROW dedication and improvement may be required along Ridge Path.

Parking Information: The minimum parking requirement for two (2) residential units is one (1) space per unit.

ISSUE:
None.

ALTERNATIVES:

Current Zoning: “R-5” Residential 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 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 would allow for a duplex.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The subject property is not within a Regional Center or within 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 Northwest Community Plan and is currently designated as Low Density Residential in the future land use component of the plan. The requested “R-5” Residential Single-Family 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.
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 two (2) dwelling unit is not appropriate for this area, as there are currently no multi-family or duplex uses within a reasonable distance. The property is located in an established single-family residential neighborhood making the requested zoning inconsistent with the surrounding 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 objective. The proposed zoning change will conflict with the following principles of the Northwest Community Plan:
 - Developing a distinct community by preserving neighborhoods.
 - Work towards a resolving inconsistencies between plan objectives and current zoning by meeting with property owners and the development community.
6. **Size of Tract:** The 0.153-acre site is of sufficient size to reasonably accommodate the proposed residential 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.

Applicant seeks to rezone the property to develop a duplex.

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