



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1927

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/18/2014

**Title:** ZONING CASE # Z2014203 (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 13, Block 2, NCB 11306 located on a portion of the 1400 Block of Thompson Place. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14065)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-203, 2. Z2014203, 3. 14-1927 Z2014203 DRAFT ORDINANCE, 4. Ordinance 2014-09-18-0721

Date	Ver.	Action By	Action	Result
9/18/2014	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 5

**SUBJECT:**

Zoning Case Z2014203

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 19, 2014

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Jose Luis Gonzalez Living Trust (by Jose Luis Gonzalez, Trustee)

**Applicant:** RSBR Investments, LLC (by Jacob Stauffer, Executive Vice President and General Counsel)

**Representative:** Kaufman & Killen, Inc.

**Location:** A portion of the 1400 Block of Thompson Place

**Legal Description:** Lot 13, Block 2, NCB 11306

**Total Acreage:** 0.7807

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Neighborhood Associations:** Thompson Neighborhood Association

**Planning Team Members:** Kelly/South San PUEBLO Community Plan - 32

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed in 1952 (Ordinance 18115) and was originally zoned “B” Residence District. In a 1986 City-initiated case, the property was rezoned to “R-1” Single Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “R-6” Residential Single-Family District. The property was platted into its current configuration in 2011 (Volume 13396, page 888 of the Deed and Plat Records of Bexar County, Texas), and is undeveloped.

**Topography:** The subject property does not include any abnormal features such as significant slope or inclusion in a flood plain.

**Adjacent Zoning and Land Uses**

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Dwellings

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Retail Use

**Direction:** West

**Current Base Zoning:** "R-6" and "O-2"

**Current Land Uses:** Single-Family Dwellings and Triplex

**Direction:** North across Thompson Place

**Current Base Zoning:** "C-2NA" and "R-6"

**Current Land Uses:** Single-Family Dwelling, Undeveloped Land and Church

**Overlay and Special District Information:** All surrounding properties carry the “AHOD” Airport Hazard Overlay District, due to their proximity to an airport or approach path. The “AHOD” does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** Thompson Place

**Existing Character:** Collector Street; one lane in each direction with sidewalks and left and right turn median.

**Proposed Changes:** None known.

**Thoroughfare:** Cupples Road

**Existing Character:** Secondary Arterial Type B; two lanes in each direction with side walks

**Proposed Changes:** None known

**Public Transit:** The VIA number 62 bus line operates along Thompson Place. The nearest stop is in front of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Off-street parking requirements are typically determined by the type and size of use. Multiple retail and service uses are proposed for the subject property; however, the size of each is unknown to staff. Therefore, accurate parking requirements for the subject property cannot be determined at this time.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current residential zoning classification, restricting future land uses to those permissible in the "R-6" zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (10-0) recommend approval pending the plan amendment

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is located within the Kelly/South San PUEBLO Community Plan and is currently designated as Medium Density Residential. The zoning request is not consistent with the adopted future land use designation. A master plan amendment has been submitted, requesting to change the land use designation to Community Commercial. Staff and Planning Commission recommend approval of the plan amendment request.

Community Commercial provides for medium intensity commercial uses that serve a market on the scale of a community comprised of two or more medium sized neighborhoods. Community commercial uses should be located in a nodal fashion, near the intersection of collectors and arterials, or the intersection of two arterials, or along arterials or higher order streets where already established.

**2. Adverse Impacts on Neighboring Lands:**

Granting of the "C-2" Commercial District is not likely to have an adverse impact on the neighboring lands. The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares. The proposed zoning is appropriate given the location and proximity to the commercial node.

**3. Suitability as Presently Zoned:**

Both the current "R-6" Residential Single-Family District and proposed "C-2" Commercial District are both appropriate for the subject property. Staff believes future single-family residential development is unlikely due to the property's location. The proposed "C-2" Commercial District will not change the overall character of the

community.

#### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to the "C-2" Commercial District.

When commercial zoning districts abut single-family residential zoning or uses, building setbacks and landscape buffers are required to mitigate the effects of increased traffic, noise, and lighting from the commercial development. The "C-2" district requires a 30-foot rear setback, a 10-foot side setback and 15-foot wide landscape buffer where the commercial zoning district abuts a residential zoning district.

#### **5. Public Policy:**

Should the plan amendment request be approved, the request does not appear to conflict with any public policy objective. The Community Commercial classification will allow continued development in accordance with the goals and objectives of the Kelly/South San PUEBLO Community Plan.

Goal 3: Improve the commercial corridors and the variety of goods, services and employment available in the planning area in order to attract and support a mix of uses including professional offices, residences and a variety of retail shops that will meet the residents' daily needs and bring vitality to the area.

Objective 3.2: Attract and support a variety of businesses in a walkable, mixed-use environment

#### **6. Size of Tract:**

The subject property measures 0.7807 acres in size which should be able to reasonably accommodate the proposed commercial development and required parking.

#### **7. Other Factors:**

The proposed zoning request could be appropriate at this location because it is an adaptive and beneficial use of the undeveloped land. The "C-2" designation for the property is not out of character given the commercial uses along Cupples Road a major thoroughfare.

The applicant requests a plan amendment and zoning case in order to develop the property, including the abutting commercially zoned tract located at the corner, with retail uses.