



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-1031

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/19/2017

**Title:** ZONING CASE # Z2017015 (Council District 1): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-3 CD AHOD" General Commercial Airport Hazard Overlay District with Conditional Use for Outside Storage of Swimming Pool Equipment and Building Materials and "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 6-14, Block 56, NCB 7147 and Lots 1-5, 23-26, Block 57, NCB 7160, located in the 1200 Block of Fresno Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 17006)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Ordinance 2017-01-19-0035

Date	Ver.	Action By	Action	Result
1/19/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017015

(Associated Plan Amendment 17006)

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-3 CD AHOD" General Commercial Airport Hazard Overlay District with Conditional Use for Outside Storage of Swimming Pool Equipment and Building Materials and "C-2 AHOD" Commercial Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 20, 2016

**Case Manager:** Erica Greene, Planner

**Property Owner:** State of Texas, Texas Department of Transportation

**Applicant:** Stripes, LLC

**Representative:** Brown & Ortiz, P.C

**Location:** 1200 Block of Fresno Drive

**Legal Description:** Lots 6-14, Block 56, NCB 7147 & Lots 1-5, 23-26, Block 57, NCB 7160

**Total Acreage:** 1.724

**Notices Mailed**

**Owners of Property within 200 feet:** 24

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio following the adoption of Ordinance 1845, dated May 13, 1940 and remains as Right of Way (R.O.W). The zoning of former ROW is determined by applying the base zoning of adjacent property to the corresponding mid-point of the subject property. A 2000 case, Ordinance #91191 zoned a portion of the subject property as "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3" General Commercial District. A portion of the subject property was zoned "B" Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "R-4" Residential Single-Family District. A portion of the subject property was zoned "F" Local Retail District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2" Commercial District.

**Topography:** The northern portion of the property is included in the 100 year floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4

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

**Direction:** West

**Current Base Zoning:** R-4

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

**Direction:** South

**Current Base Zoning:** R-4

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** C-2, C-3

**Current Land Uses:** Landscape Services, Bar, Pool Store

**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:** Fresno Drive

**Existing Character:** Local Street

**Proposed Changes:** None

**Thoroughfare:** Highway 10 West

**Existing Character:** Major Highway

**Proposed Changes:** None

**Public Transit:** VIA bus route #651 is within walking distance 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:** Service: Gasoline Filling Station-w/o repair service(carwash allowed) requires a minimum of 1 per 500 sf GFA including service bays, wash tunnels, and retail areas and a maximum of 1 per 375 sf GFA including service bays, wash tunnels, and retail areas.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning district.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment. Zoning Commission recommends Approval. (9-0)

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

**1. Consistency:**

The property is located within the Greater Dellview Area Community Plan, and is currently designated as “Parks/Open Space” in the future land use component of the plan. The requested "C-2 AHOD" Commercial base zoning district is not consistent with the future land use designation of “Parks/Open Space”. The applicant has requested a Plan Amendment to change the land use from “Parks/Open Space” to “Community Commercial”. Staff and Planning Commission recommend approval.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current zoning district of “C-2” is appropriate for the subject property’s location. However the existing “R-

4” and C-3” are not appropriate for the location

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request does not appear to conflict with land use goals and strategies of the Greater Dellview Area Community Plan that supports the objectives of promoting economic growth in the area along commercial arterials.

**6. Size of Tract:**

The subject property totals 1.724 acres in size, which should reasonably accommodate the uses permitted in “C-2” Commercial District.

**7. Other Factors:**

The applicant is proposing a gas station on the subject property. The surrounding properties include a mixture of commercial uses that will blend well along the I-10 intersection and other arterials. The subject property is bounded by streets which act as a buffer to the residential uses to the north. The request to rezone the subject property will make the land uses compatible with one another.