



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1496

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/7/2014

**Title:** ZONING CASE # Z2014144 (District 8): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "C-2" Commercial District on 1.65 acres out of NCB 14862 located at 6435 Babcock Road. Staff and Zoning Commission recommend approval. (Continued from June 19, 2014)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-144, 2. Z2014144, 3. 14-1247 Z2014144 DRAFT ORDINANCE, 4. Ordinance 2014-08-07-0560

Date	Ver.	Action By	Action	Result
8/7/2014	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 8

**SUBJECT:**

Zoning Case Z2014144

**SUMMARY:**

**Current Zoning:** "MF-33" Multi-Family District.

**Requested Zoning:** "C-2" Commercial District.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 20, 2014

**Case Manager:** Pedro Vega, Planner

**Property Owner:** The Lorraine C. Phillips Irrevocable Trust (by Lorraine C. Phillips and Pat Wilson, Trustees) and The Linda A. Rock Irrevocable Trust (by Linda A. Rock and Pat Wilson, Trustees)

**Applicant:** Charles Christian

**Representative:** Charles Christian

**Location:** 6435 Babcock Road

**Legal Description:** 1.65 acres out of NCB 14862

**Total Acreage:** 1.65

**Notices Mailed**

**Owners of Property within 200 feet:** 11

**Neighborhood Associations:** None

**Planning Team Members:** North Sector Plan - 41

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed in 1972 and was originally zoned “Temp R-1” Temporary Single-Family Residence District. In a 1974 zoning case, the property was rezoned to “R-3” Multi-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous zoning district converted to the current "MF-33" Multi-Family District. The property is developed with two single-family dwellings measuring approximately 1,353 square feet built in 1935 and 664 square feet built in 1939. The property is not platted in its current configuration.

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

**Adjacent Zoning and Land Uses**

**Direction:** East

**Current Base Zoning:** “R-6”

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

**Direction:** South

**Current Base Zoning:** “C-3” and “C-2”

**Current Land Uses:** Parking Lot and Restaurant

**Direction:** North across Melissa Ann Street

**Current Base Zoning:** “C-2” and “R-6”

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

**Direction:** West across Babcock Road

**Current Base Zoning:** “MF-33 PUD” and “C-3NA”

**Current Land Uses:** Vacant Land and Plant Nursery

**Overlay and Special District Information:** None

**Transportation**

**Thoroughfare:** Babcock Road

**Existing Character:** Secondary Arterial; 2 lanes in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Melissa Ann Street

**Existing Character:** Local Street; 1 lane in each direction with no sidewalks

**Proposed Changes:** None known

**Public Transit:** There are no public transportation lines in the immediate vicinity. The nearest VIA bus line is the 604 which operates along Spring Time Drive, north 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 vehicle parking requirements are typically determined by type and size of the use. The rezoning application refers to a proposed restaurant and retail uses.

Food-Restaurant or Cafeteria-Minimum Parking Requirement: 1 space per 100 square feet of Gross Floor Area (GFA). Maximum Parking Requirement: 1 space per 40 square feet of Gross Floor Area (GFA).

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current multi-family zoning, restricting future land uses to those permissible in the “MF-33” zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (7-0) recommend approval.

**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 North Sector Plan area, and is identified as Suburban Tier in the Future Land Use component of the plan. The "C-2" Commercial District is consistent with the adopted land use designation.

The subject property is also located within the Tanglewoodridge Neighborhood Plan. This plan was adopted in 1994 and has not been updated; therefore, it is no longer a regulatory plan, but may be used as a guiding document. The Tanglewoodridge Neighborhood Plan identifies the properties with frontage on Melissa Ann as being appropriate for multi-family residential development.

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

Staff finds no likely adverse impact on the surrounding neighborhood related to the zoning change request. The site is located in an area with a mix of commercial, multi-family dwellings and single-family dwellings.

**3. Suitability as Presently Zoned:**

Both the current “MF-33” and proposed “C-2” are appropriate for the subject property. The “C-2” district accommodates commercial and retail uses that are more intensive in character than neighborhood or light commercial uses, and which generate a greater volume of vehicular or truck traffic. The property’s location with frontage on a major thoroughfare is suitable for medium intensity commercial zoning and use.

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

Staff has found no indication of a likely negative influence on public health, safety or welfare in relation to this zoning change request. Should the zoning change be approved, a Type B 15-foot landscape buffer, a 6-foot tall solid screen fence, and building setbacks (10-foot side and 30-foot rear) will be required where the subject property abuts residential zoning or uses. These development standards will serve to mitigate the possible effects of increased noise and traffic on the subject property.

**5. Public Policy:**

The request does not appear to conflict with any established public policy.

**6. Size of Tract:**

The subject property is 1.65 acres in size and appears to be of sufficient size to accommodate the proposed development.

**7. Other Factors:**

None.