



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-2431

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/5/2018

**Title:** ZONING CASE # Z2018110 (Council District 6): An Ordinance amending the Zoning District Boundary from "C-2NA" Commercial Nonalcoholic Sales District to "C-3NA" General Commercial Nonalcoholic Sales District on the South 180-feet of Lot 5, Block 1, NCB 17637, located at 10540 Culebra Road. Staff recommends Denial. Zoning Commission recommends Approval. (Associated Plan Amendment 18032)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2018-04-05-0250

Date	Ver.	Action By	Action	Result
4/5/2018	1	City Council A Session	Motion to Deny	
4/5/2018	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2018110  
(Associated Plan Amendment 18032)

**SUMMARY:**

**Current Zoning:** "C-2NA" Commercial Nonalcoholic Sales District

**Requested Zoning:** "C-3NA" General Commercial Nonalcoholic Sales District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 6, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** LL&M Investments LLC

**Applicant:** Jerry Arredondo

**Representative:** Jerry Arredondo

**Location:** 10540 Culebra Road

**Legal Description:** South 180-feet of Lot 5, Block 1, NCB 17637

**Total Acreage:** 0.4132

**Notices Mailed**

**Owners of Property within 200 feet:** 13

**Registered Neighborhood Associations within 200 feet:** Mountain View Acres Neighborhood Coalition

**Applicable Agencies:** TxDOT

**Property Details**

**Property History:** The subject property was rezoned from “R-6” Residential Single-Family District to “C-2 NA” Commercial Nonalcoholic Sales District by Ordinance 101677, dated November 10, 2005.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C-2”

**Current Land Uses:** Retail Center

**Direction:** East

**Current Base Zoning:** “C-3 R CD”

**Current Land Uses:** Retail Center

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** “C-3 R”

**Current Land Uses:** Auto Mechanic

**Overlay and Special District Information:**

NA

**Transportation**

**Thoroughfare:** Culebra Road

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** VIA bus route is within walking distance of the subject property. Routes served: 606 and 660

**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:**

The minimum parking requirement is 1 per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-2 NA”. “C-2 NA” allows for uses such as miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. “C-2 NA” districts are identical to “C-2” districts except that the sale of alcoholic beverages is prohibited.

**FISCAL IMPACT:**

None.

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

The subject property is within the Highway 151/Loop 1604 Area Regional Center. The property is located within a half mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (8-0) recommends 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 the West/Southwest Sector Plan and is currently designated as “Rural Estate Tier” in the future land use component of the plan. The current “C-2 NA” base zoning and the requested “C-3NA” base zoning are not compatible with the future land use designation. The applicant is requesting a Plan Amendment from “Rural Estate Tier” to “Regional Center” to accommodate the proposed rezoning. Staff did recommend an alternate land use of “Suburban Tier,” but the applicant decided to move forward with “Regional Commercial.” Staff and Planning Commission recommended Denial of the Plan Amendment to “Regional Commercial” and approval of “Suburban Tier.”

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Particularly to the rear of the property, which abuts to residential single-family uses.

**3. Suitability as Presently Zoned:**

The current “C-2 NA” Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The adjacent properties are other retail centers that carry the “C-3” and “C-2” base zoning districts.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. Further encroachment of high intensity commercial uses will affect the health, safety, or welfare of the single-family residences to the south of the property.

**5. Public Policy:**

The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the West/Southwest Sector Plan.

West/Southwest Sector Plan Relevant Goals and Objectives:

- Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.
- LU-1.1 Limit encroachment of commercial uses into established low-density residential areas.
- LU-1.3 Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby.

**6. Size of Tract:**

The subject property is 0.4132 acres, which would adequately support a commercial development.

**7. Other Factors:**

None.