



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-833

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 5/1/2014

**Title:** ZONING CASE #Z2013130 CD S (District 3): An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District, "RM-4" Residential Mixed District, "C-2" Commercial District, "O-2" High-Rise Office District, "C-3R" General Commercial Restrictive Alcohol Sales District, "C-3" General Commercial District, "C-3 S" General Commercial District with a Specific Use Authorization for a Communication Tower and "I-1" General Industrial District to "RE" Residential Estate District, "R-20" Residential Single-Family District, "NP-15" Neighborhood Preservation District, "NP-10" Neighborhood Preservation District, "NP-8" Neighborhood Preservation District, "R-6" Residential Single-Family District, "O-1" Office District, "C-1" Light Commercial District, "C-1 CD" Light Commercial District with a Conditional Use for Tire Repair - Auto and Small Truck (Sale and Installation Only, No Mechanical Service Permitted), "C-1 CD" Light Commercial District with a Conditional Use for Plumbing Fixtures – Retail, "C-1 CD" Light Commercial District with a Conditional Use for Motor Vehicle Sales, "C-1 CD" Light Commercial District with a Conditional Use for a Funeral Home or Undertaking Parlor, "C-1 CD" Light Commercial District with a Conditional Use for Limousine Service – Dispatch And Office Use Only No Servicing Of Vehicles Onsite, "C-1 CD" Light Commercial District with a Conditional Use for Self Service Storage, "C-2" Commercial District, "C-2 S" Commercial District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week, "C-2 CD" Commercial District with a Conditional Use for Veterinary Hospital – Large and Small Animal and "C-2 S" Commercial District with a Specific Use Authorization for a Carwash on approximately 341 acres located in the Comanche Community and Lower Southeast Side neighborhoods; generally bound by Roland Avenue and Salado Creek to the west, Rigsby Avenue to the north, South WW White Road to the east, and the intersection of Roland Avenue and South WW White Road to the south. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Eastern Triangle Proposed Zoning Map Sheet 1, 2. Eastern Triangle Proposed Zoning Map Sheet 2, 3. Eastern Triangle Proposed Zoning Map Sheet 3, 4. Eastern Triangle Proposed Zoning Map Sheet 4, 5. Council Resolution Authorizing Rezoning, 6. Z2013130 CD - A Zoning Commission Minutes, 7. Z2013130 CD - B Zoning Commission Minutes, 8. Z2013130 CD S Zoning Commission Minutes, 9. Draft Ordinance

Date	Ver.	Action By	Action	Result
5/1/2014	1	City Council A Session	Motion to Cont/Post	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 3

**SUBJECT:**  
Zoning Case Z2013130 CD S

**SUMMARY:**

**Current Zoning:** “R-5” Residential Single-Family District, “RM-4” Residential Mixed District, “C-2” Commercial District, “O-2” High-Rise Office District, “C-3R” General Commercial Restrictive Alcohol Sales District, “C-3” General Commercial District, “C-3 S” General Commercial District with a Specific Use Authorization for a Communication Tower and “I-1” General Industrial District

**Requested Zoning:** “RE” Residential Estate District, “R-20” Residential Single-Family District, “NP-15” Neighborhood Preservation District, “NP-10” Neighborhood Preservation District, “NP-8” Neighborhood Preservation District, “R-6” Residential Single-Family District, “O-1” Office District, “C-1” Light Commercial District, “C-1 CD” Light Commercial District with a Conditional Use for Tire Repair - Auto and Small Truck (Sale and Installation Only, No Mechanical Service Permitted), “C-1 CD” Light Commercial District with a Conditional Use for Plumbing Fixtures - Retail, “C-1 CD” Light Commercial District with a Conditional Use for Motor Vehicle Sales, “C-1 CD” Light Commercial District with a Conditional Use for a Funeral Home or Undertaking Parlor, “C-1 CD” Light Commercial District with a Conditional Use for Limousine Service - Dispatch And Office Use Only No Servicing Of Vehicles Onsite, “C-1 CD” Light Commercial District with a Conditional Use for Self Service Storage, “C-2” Commercial District, “C-2 S” Commercial District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week, “C-2 CD” Commercial District with a Conditional Use for Veterinary Hospital - Large and Small Animal and “C-2 S” Commercial District with a Specific Use Authorization for a Carwash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Dates:** December 17, 2013, and February 18, 2014

**Case Manager:** Tyler Sorrells, AICP, Planner, and Tony Felts, Planner

**Property Owner:** Multiple Owners

**Applicant:** City of San Antonio

**Representative:** Development Services Department

**Location:** Generally bound by Roland Avenue and Salado Creek to the west, Rigsby Avenue to the north, South WW White Road to the east, and the intersection of Roland Avenue and South WW White Road to the south

**Legal Description:** Multiple Legals

**Total Acreage:** Approximately 340 acres

**Notices Mailed**

**Owners of Property:** 421

**Owners of Property within 200 feet:** 193

**Registered Neighborhood Associations within 200 feet:** Comanche Community Neighborhood Association; Lower Southeast Side Neighborhood Association; and Pecan Valley Neighborhood Association.

**Planning Team:** Eastern Triangle Community Plan Team (25)

**Applicable Agencies:** City of San Antonio Parks & Recreation Department

**Property Details**

**Property History:** A City Council resolution was passed in May, 2009 directing staff to rezone the subject properties to conformance with the Eastern Triangle Land Use Plan. The majority of the subject property area

is developed. Where possible, Conditional Use and Specific Use Authorizations are proposed to reduce the number of nonconforming uses created by this rezoning effort.

**Topography:** The subject area is located on generally flat terrain with no physical characteristics likely to affect the development and uses.

**Transportation**

**Thoroughfare:** Rigsby Avenue, Roland Avenue, and South WW White Road

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None proposed

**Public Transit:** VIA bus lines 28, 30, 230, 550, and 551, serve the area.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** The proposed zoning change will not affect the parking requirement of the uses.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject properties retaining the current base zoning district which will result in this portion of the Eastern Triangle Community Plan not being implemented.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

December 17, 2013 ZC Meeting, Staff and Zoning Commission (10-0) recommend approval; February 18, 2014 ZC Meeting, Staff and Zoning Commission (8-0) recommend approval.

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

**1. Consistency:**

In an effort to begin implementation of the Eastern Triangle Community Plan, City Council passed Resolution No. 2009-05-21-0019R to initiate a comprehensive rezoning in compliance with the Eastern Triangle Future Land Use Plan. The Eastern Triangle Community Plan planning area is divided into five districts with the subject properties falling into the South District. The South District Development Guidelines recommend the preservation of large single-family residential lots. As part of the rezoning process, City staff was directed by the City Council Office to utilize conditional and specific use authorizations to minimize the number of nonconforming uses. Additionally, the requested zoning categories would bring a number of properties into conformity with the land use plan which will result in closer integration of the land use and zoning classifications. The proposed rezoning is also supported by Objective 5.5., which recommends increased zoning compliance throughout the planning area.

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

Implementation of the adopted future land use plan is an intrinsic benefit to the community.

**3. Suitability as Presently Zoned:**

Many of the commercial properties along the major thoroughfares are currently zoned to an inappropriate intensity. The requested zoning districts would preserve the existing character of single-family uses in the neighborhood and promote redevelopment and mixed-use flexibility at strategic locations.

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

The implementation of the future land use plan promotes the public good and protects current uses from overly-intense, obtrusive uses in the area.

**5. Public Policy:**

The implementation of the future land use plan is the direct implementation of adopted public policy and further supported by the adoption of City Council Resolution No. 2009-05-21-0019R.

**6. Size of Tract:**

The subject property area includes 421 individual parcels totaling approximately 340 acres in size.

**7. Other Factors:**

None.