



City of San Antonio

Legislation Details (With Text)

File #: 17-5086

Type: Zoning Case

In control: City Council A Session

On agenda: 9/21/2017

Title: ZONING CASE # Z2017185 S (Council District 6): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bingo Parlor on 5,487.43 square feet out of NCB 18080, located at 8061 Culebra Road. Staff recommends Approval. Zoning Commission recommends Denial.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance

Date	Ver.	Action By	Action	Result
9/21/2017	1	City Council A Session	Motion to Deny	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 6

SUBJECT:

Zoning Case Z2017185 S

SUMMARY:

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

Requested Zoning: "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bingo Parlor

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 15, 2017. This case was continued from the July 18, 2017 Zoning Commission hearing.

Case Manager: Kayla Leal, Planner

Property Owner: YS-K Corporation

Applicant: Francis Rogers

Representative: Brown & Ortiz, P.C.

Location: 8061 Culebra Road

Legal Description: 5,487.43 square feet out of NCB 18080

Total Acreage: 0.126

Notices Mailed

Owners of Property within 200 feet: 8

Registered Neighborhood Associations within 200 feet: Pipers Meadow Neighborhood Association

Applicable Agencies: None

Property Details

Property History: The subject property was annexed into the City of San Antonio on December 30, 1985 (Ordinance #61624) and zoned "Temporary R-1" Temporary One-Family Residence District. It was rezoned to "B-2" Business District by Ordinance 66072, dated November 12, 1987. The current "C-2" Commercial District resulted from the zoning district conversion that accompanied the adoption of the 2001 Unified Development Code (Ordinance #93881, dated May 3, 2001).

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: MF-33, C-2

Current Land Uses: Apartment Complex, Retail Center

Direction: East

Current Base Zoning: MF-33

Current Land Uses: Apartment Complex

Direction: South

Current Base Zoning: C-2, R-6

Current Land Uses: Retail Center, Parking Lot

Direction: West

Current Base Zoning: C-2

Current Land Uses: Restaurant, Retail Center

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: Culebra Road

Existing Character: Primary Arterial Type A

Proposed Changes: None known

Thoroughfare: Pipers Lane

Existing Character: Local Street

Proposed Changes: None known

Public Transit: Bus Route 618 (Stop #92243) is directly in front of the subject property on Culebra Road.

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

Parking Information: A Bingo Parlor requires a minimum of five (5) parking spaces per 1,000 square-feet of the Gross Floor Area (GFA) and a maximum of six (6) parking spaces per 1,000 square-feet of the GFA.

ISSUE:

None

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center.

The subject property is not located within a half-mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval. Zoning Commission (8-2) recommends Denial.

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 “General Urban Tier” in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request is to bring the current bingo parlor into compliance with the zoning. It is located within a retail center and does not seem to be causing adverse impacts on the surrounding areas.

3. Suitability as Presently Zoned:

The existing “C-2” base zoning district is appropriate for the surrounding area. The subject property is located within a retail center. The property’s zoning needs to be changed to add Specific Use Authorization in order for the zoning to comply with the land use.

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 request does not appear to conflict with any public policy objective because it is consistent with the adopted land use plan.

6. Size of Tract:

The subject property is 5,487.43 square-feet which should reasonably accommodate the uses permitted in the "C-2" Commercial District. It is also important to note that the subject property that is being rezoned is a suite located within a shopping center.

7. Other Factors:

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may under the right set of circumstances and conditions be acceptable in certain specific locations.