



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-6400

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/28/2016

**Title:** ZONING CASE # Z2015294 CD (Council District 7): An Ordinance amending the Zoning District Boundary from "C-2 NCD-8 AHOD" Commercial Woodlawn Lake Area Neighborhood Conservation Airport Hazard Overlay District to "C-2 CD NCD-8 AHOD" Commercial Woodlawn Lake Area Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for a Construction Trade Contractor Facility on the southern approximate 44 feet of Lots 25 and 26, Block 28, NCB 1989 located at 2327 North Zarzamora. Staff recommends Denial. Zoning Commission recommends Approval with a condition, pending Plan Amendment. (Associated Plan Amendment 15060) (Continued from December 3, 2015)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015-294 Location Map, 2. Z2015294 CD\_site plan, 3. Z2015294 CD Zoning Minutes, 4. Draft Ordinance

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2015294  
(Associated Plan Amendment 15060)

**SUMMARY:**

**Current Zoning:** "C-2 NCD-8 AHOD" Commercial Woodlawn Lake Area Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD NCD-8 AHOD" Commercial Woodlawn Lake Area Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for a Construction Trade Contractor Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 3, 2015. This case is continued from the October 6, 2015 and October 20, 2015 hearings.

**Case Manager:** Robert C. Acosta, Planner

**Property Owner:** Joel and Julieta Castillo

**Applicant:** Joel and Julieta Castillo

**Representative:** Joel and Julieta Castillo

**Location:** 2327 North Zarzamora Street

**Legal Description:** South 44 feet of Lot 25 and Lot 26, Block 28, NCB 1989

**Total Acreage:** 0.1036

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Woodlawn Lake Community Association

**Planning Team:** Near Northwest- 17

**Applicable Agencies:** None

**Property Details**

**Property History:** The property is located within the City Limits as they were recognized in 1938, and was originally zoned “F” Local Retail District. Upon the adoption of the 2001 United Development Code, the “F” converted to “C-2” Commercial District. On November 18, 2010 the property became part of the Woodlawn Lake Area Neighborhood Conservation District (NCD-8).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4, C-2, C-3NA, C-3

**Current Land Uses:** Single and Multi-Family residences and Commercial Uses

**Direction:** East

**Current Base Zoning:** C-2, R-4,

**Current Land Uses:** Single and Multi-Family Residences

**Direction:** South

**Current Base Zoning:** MF-33, C-1, R-20

**Current Land Uses:** Single-Family residences and Commercial Uses

**Direction:** West

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

**Current Land Uses:** Commercial Uses and Single-Family Residences

**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:** Zarzamora Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

**Thoroughfare:** Woodlawn Avenue  
**Existing Character:** Secondary Arterial Type B  
**Proposed Changes:** None known.

**Thoroughfare:** West Craig Place  
**Existing Character:** Local Street  
**Proposed Changes:** None known

**Thoroughfare:** West French Place  
**Existing Character:** Local Street  
**Proposed Changes:** None known

**Public Transit:** There is a VIA bus stop along side of the subject property on Zarzamora Street.  
**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 of use and building size:

Construction Trades Contractor Facility: Min. Parking: 1 space/ 1,500 square feet of GFA  
Max. Parking: 1 space/ 300 square feet of GFA

**ISSUE:**  
None.

**ALTERNATIVES:**  
Denial of the zoning request will result in the subject property retaining the "C-2" Commercial District.

**FISCAL IMPACT:**  
None.

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

**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 Near Northwest Community Plan and is currently designated as Neighborhood Commercial in the future land use component of the Plan.

The applicant requests this zoning change in order to bring the existing commercial development into compliance with applicable zoning regulations. The current "C-2" base zoning is not consistent with the current use or the current land use designation. The applicant has applied for a Plan Amendment to change the adopted land use to Community Commercial in order to qualify to apply for the required conditional use. Staff recommended denial of the Plan Amendment. The Planning Commission recommended approval of the Plan Amendment.

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

The request to rezone to “C-2 CD” Conditional use for a Construction Trades Contractor Facility avoids a change to Industrial land use. The subject property’s location along Zarzamora Street, a major arterial, together with its close proximity to existing neighborhood commercial and residential uses, make it inappropriate for the “C-2 CD” classification and would significantly alter the existing character and development pattern of the area.

## **3. Suitability as Presently Zoned:**

The subject property is currently zoned “C-2” Commercial District. The applicant was cited by Code Enforcement for a zoning violation; utilizing the property as a construction trades contractor facility, which requires industrial zoning. In order to accommodate this use, the applicant is requesting to rezone to “C-2 CD” Commercial District with a Conditional Use for a Construction Trades Contractor Facility. Failure to attain this designation would require the applicant to close and or relocate his business.

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

Staff has found evidence of likely adverse impacts on public health and safety. The requested “C-2 CD” with a Conditional Use for a Construction Trades Contractor Facility is an encroachment into a residential neighborhood. In addition, the current property does not have the infrastructure to support an industrial use. Therefore the lack of an appropriate infrastructure may pose a danger to pedestrians in the area and a traffic hazard to drivers traveling within the subject area.

## **5. Public Policy:**

The requested rezoning does not appear to be in conflict with any public policy.

## **6. Size of Tract:**

The subject property is 0.1036 acres in size.

## **7. Other Factors:**

If City Council should approve the rezoning, staff recommends the following condition:

1. Screening along the perimeter of the rear and sides of the property.