



City of San Antonio

Agenda Memorandum

File Number: 17-4274

Agenda Item Number: 5.

Agenda Date: 8/1/2017

In Control: Zoning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:

Zoning Case Z2017197

(Associated Plan Amendment 17059)

SUMMARY:

Current Zoning: "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 1, 2017

Case Manager: Kayla Leal, Planner

Property Owner: Tony Gradney

Applicant: Tony Gradney

Representative: Dillard Architect Group

Location: 915 South Hackberry Street

Legal Description: 0.254 acres out of NCB 652

Total Acreage: 0.254 acres

Notices Mailed

Owners of Property within 200 feet: 38

Registered Neighborhood Associations within 200 feet: Denver Heights Neighborhood Association

Applicable Agencies: None

Property Details

Property History: The subject property was part of the Original 36 Square Miles and zoned “J” Commercial District. The “J” zoning changed to “B-3R” Restrictive Business District by Ordinance 79329, dated December 16, 1993. The current “C-3R” General Commercial Restrictive Alcohol Sales District converted from the previous “B-3R” upon 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: C-3R, RM-4

Current Land Uses: Parking Lot, Single-Family Residential, Vacant Lot

Direction: East

Current Base Zoning: RM-4, C-1

Current Land Uses: Duplexes, Vacant Lots, Office

Direction: South

Current Base Zoning: C-3R

Current Land Uses: Parking Lot, Restaurant

Direction: West

Current Base Zoning: C-3R

Current Land Uses: Vacant Commercial Building, Single-Family Residential

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: South Hackberry Street

Existing Character: Secondary Arterial Type B

Proposed Changes: None known

Thoroughfare: East Cesar Chavez Boulevard

Existing Character: Primary Arterial Type B

Proposed Changes: None known

Public Transit: There is a bus stop (Stop #35177) directly in front of the subject property. Multiple bus routes run through this bus stop including Route 230 Rigsby/Porter, Route 30 Rigsby, and Route 28 Porter. There are a couple of other bus routes that are within a short walk down the street.

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 Restaurant requires a minimum of one (1) parking space per 100 square-feet of the Gross Floor Area (GFA) and a maximum of one (1) parking space per forty (40) 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 Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval, pending Plan Amendment.

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 Arena District/Eastside Community Plan and is currently designated as Medium Density Residential in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the adopted land use designation. The applicant is also requesting a plan amendment to “Community Commercial.” Staff and Planning Commission recommend Approval.

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 proposed use is consistent with the established development pattern of the surrounding area. The requested zone change is to allow the sale of alcohol at a restaurant during operating hours. A restaurant has been located on the property, and the vacant building is being renovated to accommodate a new restaurant. The subject property is near the corner of two Arterials - South Hackberry and East Cesar Chavez.

3. Suitability as Presently Zoned:

The existing “C-3R” base zoning district is appropriate for the surrounding area. There are commercial uses down Hackberry Street and Cesar Chavez since they are Secondary and Primary Arterials.

4. Health, Safety and Welfare:

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The existing building is currently vacant and will be renovated for the use of a restaurant.

5. Public Policy:

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

6. Size of Tract:

The subject property is 0.254 acres and is of sufficient size to accommodate the proposed development. The

structure already exists on the property and is also of sufficient size to accommodate a restaurant with its respective amount of parking spaces.

7. Other Factors:

It is located within 300 feet of Herff Elementary School, so the applicant will also be required to obtain an alcohol variance in addition to the zone change.