



# City of San Antonio

## Agenda Memorandum

**File Number:** 13-1314

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**Agenda Item Number:** Z-18.

**Agenda Date:** 1/16/2014

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 10

**SUBJECT:**

Zoning Case Z2014048 S

**SUMMARY:**

**Current Zoning:** "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Auto Paint and Body - Repair with Outside Storage of Vehicles and Parts Permitted but Totally Screened From View of Adjacent Property Owners and Public Roadways

**Requested Zoning:** "C-3 R S AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District with a Specific Use Authorization for Auto Paint and Body - Repair with Outside Storage of Vehicles and Parts Permitted but Totally Screened From View of Adjacent Property Owners and Public Roadways

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2013

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Charles L. Hernal

**Applicant:** Charles L. Hernal

**Representative:** Charles L. Hernal

**Location:** 8418 Broadway

**Legal Description:** Lot 21, NCB 11875

**Total Acreage:** 0.9213

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** Oak Park /Northwood Neighborhood Association

**Planning Team:** Northeast Inner Loop Neighborhood Plan - 9

**Applicable Agencies:** City of San Antonio Aviation Department

### **Property Details**

**Property History:** The subject property was annexed in 1952 and was originally zoned “Temp A” Single Family Residence District. In a 1956 case, the property was rezoned “J” Commercial District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to “I-1” General Industrial District. In a 2010 case, the property was rezoned to the current “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for Auto Paint and Body - Repair with Outside Storage of Vehicles and Parts Permitted but Totally Screened From View of Adjacent Property Owners and Public Roadways. The subject property was platted into its current configuration in 1948 (Volume 2575, Page 33) and developed in 1960 with the construction of a 34,993-square foot commercial structure.

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

### **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “I-1” and “C-2”

**Current Land Uses:** Restaurants and Offices

**Direction:** East

**Current Base Zoning:** “C-2 and “O-2”

**Current Land Uses:** Parking and Offices

**Direction:** South

**Current Base Zoning:** “I-1”

**Current Land Uses:** Undeveloped land, Parking and a Restaurant

**Direction:** West

**Current Base Zoning:** “I-1”, “C-2” and “R-5”

**Current Land Uses:** Retail Center, Office/Warehouse, Parking and a Restaurant

**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:** Loop 410

**Existing Character:** Freeway; elevated with six lanes in each direction and non-elevated access roads

**Proposed Changes:** None known

**Thoroughfare:** Broadway

**Existing Character:** Secondary Arterial Type B, two lanes in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Greenbrier

**Existing Character:** Local Street; one lane in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines are the 9 and 209, which operate along Broadway. There are several stops near the subject property. The nearest stop is in front of the subject property and immediately across from subject property on the Westside of Broadway.

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

**Parking Information:** Off-street parking requirements are typically determined by the type and size of use. Multiple retail and service uses exist and are proposed for the subject property; however, the size of each is unknown to staff. Therefore, accurate parking requirements for the subject property cannot be determined at this time.

**ISSUE:**

None

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning; restricting future land uses to those permissible in a C-2 zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

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:**

The subject property is located within the Northeast Inner Loop Neighborhood Plan and is currently designated as Regional Commercial in the future land use component of the plan. The requested “C-3” base zoning district is consistent with the adopted land use designation and the surrounding area.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed zoning request is not increasing the intensity of use as defined by the Northeast Inner Loop Neighborhood Plan future land use designation and surrounding area. Instead, the rezoning request is meant to accommodate a wider range of uses for the multi-tenant building.

**3. Suitability as Presently Zoned:**

Both the existing and requested zoning are suitable for the subject property. The current and proposed uses are consistent with the surrounding pattern of development. The transportation network supports such uses.

**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.

**6. Size of Tract:**

The subject property measures 0.9213 of an acre in size, which is sufficient to accommodate commercial development and required parking. The subject property is fully developed as a multi-tenant building with parking.

**7. Other Factors:**

None.