



# City of San Antonio

## Agenda Memorandum

**File Number:** 18-4895

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**Agenda Item Number:** Z-5.

**Agenda Date:** 9/6/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018265

**SUMMARY:**

**Current Zoning:** "C-2 CD IH-1 AHOD" Commercial Northeast Gateway Corridor Airport Hazard Overlay District with Conditional Use for Landscape Materials, Sales, and Supplies

**Requested Zoning:** "C-2 CD IH-1 AHOD" Commercial Northeast Gateway Corridor Airport Hazard Overlay District with Conditional Use for Exterminator

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 7, 2018

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** RWJ Properties, LLC

**Applicant:** RWJ Properties, LLC

**Representative:** Brown & Ortiz

**Location:** 102 Joe Lee Street

**Legal Description:** 1.120 acres out of NCB 13806

**Total Acreage:** 1.120

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1965 and was zoned “R-1” Residential Single-Family District. Upon the adoption of the 2001 Unified Development Code, the previous “R-1” Converted to “R-6” Residential Single-Family District. Later, a 2007 case, Ordinance 2007-01-18-0106, rezoned the property to the current “C-2 CD” Commercial District with a Conditional Use for Landscape Materials, Sales, and Supplies.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3, I-1

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Residences, Duplex

**Direction:** South

**Current Base Zoning:** R-6

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

**Direction:** West

**Current Base Zoning:** I-1, C-3 R, R-6

**Current Land Uses:** ABC Home & Commercial, Storage, 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:** Joe Lee

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes within walking distance of the subject property.

**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:** 1 per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. “C-2” Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is within the NE I-35 and Loop 410 Regional Center, but is not within a Premium transit Corridor.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval.

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

**1. Consistency:**

The property is currently not within any sector, community, or neighborhood plan, therefore a finding of consistency is not required.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant proposes to change the current conditional use for an exterminator. The request will not change the base zoning, and conditions may be added to further buffer the property from the adjacent residential uses.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the subject property. The request will not change the base zoning district.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. There are single-family residential uses adjacent to the subject property. A Type “B” Buffer Yard of fifteen (15) feet is required along the southern and eastern property lines abutting the “R-6” zoning.

**5. Public Policy:**

The rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property totals 1.120 acres in size, which accommodates the uses permitted in “C-2” Commercial District.

**7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

