



# City of San Antonio

## Agenda Memorandum

**File Number:** 14-2888

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**Agenda Item Number:** Z-13.

**Agenda Date:** 12/4/2014

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 4

**SUBJECT:**

Zoning Case Z2015006

**SUMMARY:**

**Current Zoning:** "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District and "C-1 AHOD" Light Commercial Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 2, 2014

**Case Manager:** Pedro Vega, Planner

**Property Owner:** MYSU Inc.

**Applicant:** Sun Larson

**Representative:** Sun Larson

**Location:** A portion of the 6100 Block of Old Pearsall Road

**Legal Description:** P- 48D, NCB 15605 and P-85, NCB 15613 (7.542 Acres)

**Total Acreage:** 7.542

**Notices Mailed**

**Owners of Property within 200 feet:** 39

**Neighborhood Associations:** Southwest Community Association

**Planning Team Members:** United Southwest Communities Plan - 29

**Applicable Agencies:** None

**Property Details**

**Property History:** A portion of the 7.542- acre tract was annexed in December of 1972, per Ordinance #41419, and the other portion was annexed in December of 1984, per Ordinance #59770, and was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 1996 zoning case, the 7.542 acre tract was rezoned to "B-2NA" Business Non-Alcoholic Sales District and "B-1" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2NA" Commercial Nonalcoholic Sales District and "C-1" Light Commercial District. The 7.542- acre tract is platted into its current configuration and is undeveloped.

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

**Adjacent Zoning and Land Uses**

**Direction:** Northeast

**Current Base Zoning:** "C-2NA" and "C-1"

**Current Land Uses:** Auto Parts Store and Church

**Direction:** Northeast across Old Sky Harbor Road

**Current Base Zoning:** "C-2NA" and "C-1"

**Current Land Uses:** Grocery Store and Vacant Land

**Direction:** Southeast

**Current Base Zoning:** "R-6"

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

**Direction:** Southwest

**Current Base Zoning:** "C-3R" and "MF-33"

**Current Land Uses:** Abandoned Railroad Easement, Vacant Land and Apartments

**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:** Old Pearsall Road

**Existing Character:** Secondary Arterial Type A; 2 lanes in each direction with center turn lanes and sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Old Sky Harbor Road

**Existing Character:** Local Street; one way in each direction without sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines are number 616, which operates along Old Sky Harbor Road and northeast along Old Pearsall Road.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required, but can be deferred to the platting phase. A traffic engineer must be present at the Zoning Commission hearing.

**Parking Information:** Off-street vehicle parking requirements are typically determined by the type of use and building size. 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 nonalcoholic sales and light commercial zoning classifications, restricting future land uses to those permissible in the "C-2NA" and "C-1" zoning districts.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff recommends approval. Zoning Commission recommendation pending the December 2, 2014 public hearing.

**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 United Southwest Communities Plan, and is currently designated as Community Commercial in the Future Land Use Plan. The requested "C-2" Commercial District is consistent with the future land use designation.

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

Granting of the "C-2" Commercial District will not likely have an adverse impact on the neighboring lands. The subject property is surrounded by a variety of zoning designations, ranging from commercial to residential.

**3. Suitability as Presently Zoned:**

The existing "C-2NA" Commercial Nonalcoholic Sales District and "C-1" Light Commercial District and proposed "C-2" Commercial District are appropriate for the 7.542-acre tract and is consistent with the adopted United Southwest Communities Plan designation.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare related to the "C-2" Commercial District request. The Abandoned Railroad Easement to the southwest will act as a buffer between the existing multi-family dwellings and the proposed commercial use.

**5. Public Policy:**

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

The zoning change request is in accordance with the City's Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth. Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410.

**6. Size of Tract:**

The 7.542-acre tract is of sufficient size to accommodate the requested "C-2" Commercial District as well as parking.

**7. Other Factors:**

The applicant requests "C-2" as the base zoning district for the property in order to allow commercial and retail establishments. Staff finds the requested "C-2" Commercial District zoning to be appropriate and in character with some of the surrounding zoning. Staff recognizes the subject property's close proximity to residential zoning and uses.

When commercial zoning districts abut single-family residential zoning or uses, building setbacks and landscape buffers are required to mitigate the effects of increased traffic, noise, and lighting from the commercial development. The "C-2" district requires a 30-foot rear setback, a 10-foot side setback and 15-foot wide landscape buffer where the commercial zoning district abuts a residential zoning district.