



City of San Antonio

Legislation Details (With Text)

File #: 14-844
Type: Zoning Case
In control: City Council A Session
On agenda: 5/1/2014
Title: ZONING CASE # Z2014124 (District 3): An Ordinance amending the Zoning District Boundary from "C-3NA CD AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Operative Truck Parking to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on Lots 37 and 38, Block 12, NCB 10894 located on a portion of the 200 Block of Esma. Staff and Zoning Commission recommend approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Z2014-124, 2. Z2014124, 3. Draft Ordinance, 4. Ordinance 2014-05-01-0296

Date	Ver.	Action By	Action	Result
5/1/2014	1	City Council A Session	Motion to Approve	

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Council District 3

SUBJECT:

Zoning Case Z2014124

SUMMARY:

Current Zoning: "C-3NA CD AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Operative Truck Parking

Requested Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 1, 2014

Case Manager: Osniel Leon, Planner

Property Owner: Juanita V. Rodriguez

Applicant: Lenora Ann Pena

Representative: Lenora Ann Pena

Location: A portion of the 200 Block of Esma

Legal Description: Lots 37 and 38, Block 12, NCB 10894

Total Acreage: 0.287

Notices Mailed

Owners of Property within 200 feet: 33

Neighborhood Associations: None (within 200 feet)

Planning Team Members: San Antonio International Airport Vicinity Land Use Plan

Applicable Agencies: City of San Antonio Aviation Department

Property Details

Property History: The property was annexed in 1952 and was originally zoned "B" Residence District. In a 1998 case, the property was rezoned to "B-3NA SUP" Non-Alcoholic Sales District with a special use permit for operative truck parking. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3NA CD" General Commercial Nonalcoholic Sales District with a Conditional use for Operative Truck Parking. The subject property consists of two platted lots and is currently undeveloped.

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

Adjacent Zoning and Land Uses

Direction: All

Current Base Zoning: "R-4", "R-6", "RM-4 CD", "C-3NA CD"

Current Land Uses: Single family residences and undeveloped land

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: Esma Street, Palos Street and Sligo Street

Existing Character: Local Streets; 1 lane in each direction

Proposed Changes: None known

Public Transit: There are no VIA bus lines in the vicinity.

Traffic Impact: A Traffic Impact Analysis is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

Parking Information: Single-family residential uses are generally required to provide at least one parking space per dwelling unit.

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-3 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 Stinson Airport Vicinity Land Use Plan and is currently designated as Low Density Residential in the future land use component of the plan. The requested “R-4” district is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

A denial of the zoning request could lead to future development of intense commercial uses on the subject property. Staff supports this request in order to further protect adjacent residential uses.

3. Suitability as Presently Zoned:

The existing zoning is not appropriate for the subject property or the surrounding neighborhood. The current commercial zoning is the result of out-dated zoning practices that were once common. Current zoning practices would not place intense commercial zoning in or near established residential neighborhoods.

The “C-3” General Commercial zoning district is designed to provide for more intense uses that are typically characterized as community and regional power centers such as shopping malls, movie theaters, hospitals and wholesalers, among others. Due to its classification, the “C-3” General Commercial base zoning district is best located at intersections of major arterials and within commercial nodes.

4. Health, Safety and Welfare:

Staff has found no indication of a likely negative influence on public health, safety or welfare in relation to this zoning change request.

5. Public Policy:

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

6. Size of Tract:

The subject property measures 0.287 of an acre and would appear to be of sufficient size to accommodate the proposed use.

7. Other Factors:

The subject properties are located within the Stinson Airport Awareness Area; therefore the application was sent to the Aviation Department for review and comment. Due to the properties’ distance from the airport (over 2 miles), the Aviation Department does not object to the rezoning request.