



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3083

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 5/17/2016

**Title:** ZONING CASE # Z2016144 S (Council District 1): A request for a change in zoning from "C-2P AHOD" Commercial Pedestrian Airport Hazard Overlay District and "C-2P CD AHOD" Commercial Pedestrian Airport Hazard Overlay District with Conditional Use for Auto and Small Truck Tire Repair and Auto Muffler Facility (Sale and Installation Only, No Mechanical Services Permitted) to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for Transitional Home on Lot A, NCB 9505, located at 3113, 3119, 3123, and 3127 West Avenue. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16042)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-144\_Location Map, 2. Z2016-144 S Site Plan

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2016144 S

(Associated Plan Amendment 16042)

**SUMMARY:**

**Current Zoning:** "C-2P AHOD" Commercial Pedestrian Airport Hazard Overlay District and "C-2P CD AHOD" Commercial Pedestrian Airport Hazard Overlay District with Conditional Use for Auto and Small Truck Tire Repair and Auto Muffler Facility (Sale and Installation Only, No Mechanical Services Permitted)

**Requested Zoning:** "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for Transitional Home

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2016

**Case Manager:** Mary Moralez-Gonzales, Planner

**Property Owner:** West Avenue Revocable Trust, Roy Maas Youth Alternatives, Inc., Trustee

**Applicant:** Donald Oroian c/o ADA Consulting Group

**Representative:** Donald Oroian c/o ADA Consulting Group

**Location:** 3113, 3119, 3123, and 3127 West Avenue

**Legal Description:** Lot A, NCB 9505

**Total Acreage:** 0.551

**Notices Mailed**

**Owners of Property within 200 feet:** 18

**Registered Neighborhood Associations within 200 feet:** North Central and Dellview Area Neighborhood Associations

**Applicable Agencies:** San Antonio Aviation Department

**Property Details**

**Property History:** The subject property was annexed by the City of San Antonio in 1949 as a result of Ordinance #9565 and was originally zoned "F" Local Retail District. Upon adoption of the 1965 Unified Development Code, the zoning converted to "B-2" Commercial District. Upon adoption of the 2001 Unified Development Code, the zoning converted to "C-2" Commercial District. A 2009 zoning case changed the zoning of the property to the current zoning of "C-2P" and "C-2P CD" by Ordinance #2009-10-01-0786.

**Topography:** The subject 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-2P, R-4

**Current Land Uses:** Retail, Residences

**Direction:** South

**Current Base Zoning:** C-2, C-3NA

**Current Land Uses:** Auto Sales, Transitional Home, Youth Center

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Retail

**Direction:** West

**Current Base Zoning:** R-5

**Current Land Uses:** 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:** West Avenue

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Public Transit:** VIA bus routes #505 and #97 stop to the south at the corner of West Avenue and Basse Road.

**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 vehicle parking requirements are as follows: 1 space per attendant and 1 space per fifteen residents.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning.

**FISCAL IMPACT:**

None.

**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 Greater Dellview Area Community Plan and is currently designated as Neighborhood Commercial. The requested base zoning district of “C-2” is not consistent with the current land use category. The applicant submitted a plan amendment to change the land use classification to Community Commercial. Staff and Planning Commission recommend approval.

**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.

**3. Suitability as Presently Zoned:**

Both the existing and requested zoning are appropriate for the subject property. Based on existing land uses, the proposed use appears to be compatible with the surrounding land uses and overall character of the area.

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

Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning request.

**5. Public Policy:**

The rezoning request meets the Greater Dellview Area Community Plan goal of focusing on human capital and helping to educate, train, and empower the citizens for a brighter economic future.

**6. Size of Tract:**

The subject property measures approximately 0.551 acres, which is sufficient to accommodate the proposed development with adequate space for parking.

**7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may under the right set of circumstances and conditions, be acceptable in certain specific locations.

This rezoning request is an extension of the services provided by the Roy Maas Youth Alternatives Center located adjacent to the subject property which was permitted under Ordinance 2010-04-01-0283. The Ordinance rezoned the property “C-3 NA S AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Human Services Campus. A Human Services Campus allows for social assistance, welfare and charitable services to include vocational rehabilitation.