



City of San Antonio

Legislation Details (With Text)

File #: 16-5757
Type: Zoning Case
In control: Zoning Commission
On agenda: 11/15/2016
Title: ZONING CASE # Z2017001 (Council District 3): A request for a change in zoning from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 77 and 78, Block 9, NCB 9309, located at 1440 SW Military Drive. Staff recommends Approval.
Sponsors:
Indexes:
Code sections:
Attachments: 1. Z2017-001

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: 3

SUBJECT:
Zoning Case Z2017001

SUMMARY:
Current Zoning: "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District

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

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: November 15, 2016

Case Manager: Ernest Brown, Planner

Property Owner: Katherine Bettencourt, Judy Reid, Raymond Jones

Applicant: Bud Jones Restaurant Inc.

Representative: Russell D. Felan

Location: 1440 SW Military Drive

Legal Description: Lots 77 and 78, Block 9, NCB 9309

Total Acreage: 0.355

Notices Mailed

Owners of Property within 200 feet: 19

Registered Neighborhood Associations within 200 feet: None

Applicable Agencies: None.

Property Details

Property History: The subject property was annexed in 1947 and originally zoned "F" Local Retail District. In 1988 the subject property was rezoned to "B-3NA" Business Nonalcoholic Sales District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "C-3NA" General Commercial Nonalcoholic Sales District. The subject property was developed in 1965 with an approximately 10,199 square feet restaurant structure and 102 feet of office space.

Topography: The property is entirely contained within the 100 year flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

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

Current Land Uses: Gas Station, Retail

Direction: East

Current Base Zoning: C-3

Current Land Uses: Parking Lot, Office Building, Bar

Direction: South

Current Base Zoning: C-2, C-3, R-6

Current Land Uses: Office Building, Parking Lot, Single-Family Residence

Direction: West

Current Base Zoning: C-2, I-1

Current Land Uses: Tire Shop, 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: Southwest Military Drive

Existing Character: Primary Arterial, Type A

Proposed Changes: None known

Thoroughfare: Commercial Avenue

Existing Character: Secondary Arterial, Type A

Proposed Changes: None known

Thoroughfare: Verne Street
Existing Character: Local, Type A
Proposed Changes: None known

Public Transit: The nearest transit line is located at Commercial Avenue and Southwest Military Drive, VIA route 46, 246, 550, and 551. VIA route 46 and 246 operate along Commercial Avenue and 550 and 551 operate along Southwest Military Drive.

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: Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to a Restaurant.

Minimum Parking Requirement: 1 per 100 square foot of Gross Floor Area;
Maximum Parking Requirement: 1 per 40 square foot of Gross Floor Area.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends 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 West/Southwest Sector Plan and is currently designated as General Urban Tier in the future land use component of the plan. The proposed “C-2” base zoning district is consistent with the adopted land use designation.

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 “C-3” and proposed “C-2” base zoning district would be suitably zoned. The zoning districts are compatible with the surrounding zoning and land uses. Both districts are encouraged by the Sector Plan and the Major Thoroughfare Plan because they are and would be located at the intersection of two major thoroughfares.

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 because the request is consistent with the proposed future land use plan goals and objective as well as other plan objectives such as the Major Thoroughfare Plan.

6. Size of Tract:

The subject property measures 0.355 acre in size and is an existing development with a building structure and parking area.

7. Other Factors:

The request for the rezoning is for the purpose of alcohol sales and consumption with the serving of food.