



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-5584

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/1/2016

**Title:** ZONING CASE # Z2016260 S (Council District 5): An Ordinance amending the Zoning District Boundary from "C-3 R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bail Bond Agency on Lot 13, Block 2, NCB 8963, located at 700 Division Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-260, 2. Z2016260 S\_SP, 3. Z2016260 S Minutes, 4. Draft Ordinance.pdf, 5. Ordinance 2016-12-01-0940

Date	Ver.	Action By	Action	Result
12/1/2016	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2016260 S

**SUMMARY:**

**Current Zoning:** "C-3 R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bail Bond Agency

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 18, 2016

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Qamruddin Shafi

**Applicant:** Albert Saenz

**Representative:** Baltazar Serna

**Location:** 700 Division Avenue

**Legal Description:** Lot 13, Block 2, NCB 8963

**Total Acreage:** 0.465

**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 in 1944 and zoned "B" Residence District. In 1992 the subject property rezoned to "B-3R" Restrictive Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3R" Commercial Restrictive Alcoholic Sales District. The subject property is not platted in its current configuration. It was developed in 1964 with an approximately 1,188 square foot building and in 1982 with an approximately 96 square foot Shed.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3, R-5

**Current Land Uses:** Restaurant, Cemetery, Church

**Direction:** West

**Current Base Zoning:** C-3, R-5

**Current Land Uses:** Offices, Daycare, Residential Single-Family

**Direction:** East, South

**Current Base Zoning:** UZROW

**Current Land Uses:** Right of Way

**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:** IH 35, IH 35 Access Road

**Existing Character:** Expressway

**Proposed Changes:** None known

**Thoroughfare:** Division

**Existing Character:** Secondary Arterial, Type B

**Proposed Changes:** None known

**Thoroughfare:** Vermont

**Existing Character:** Local, Type A

**Proposed Changes:** None known

**Public Transit:** The nearest bus line to the subject property is VIA route 46 and 246 which operates along Commercial and Division.

**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 Bail Bond Agency.

Minimum Parking Requirement: 1 per 1,000 square feet Gross Floor Area;

Maximum Parking Requirement: 1 per 200 square feet 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 and Zoning Commission (10-0) 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 located within the Nogalitos/South Zarzamora Community Plan and is currently designated as Mixed Use in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future 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. The subject property is separated by the transportation right-of-way resulting in a minimal impact on the neighboring lands.

**3. Suitability as Presently Zoned:**

The existing “C-3” base zoning district is consistent with its location and adjacent zoning districts on the 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 zoning request is consistent with the future land use designation.

**6. Size of Tract:**

The subject property measures 0.4650 of an acre in size and is fully developed with building structure and parking area.

**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.