



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-3808

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 6/20/2017

**Title:** ZONING CASE # Z2017171 (Council District 1): A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District and "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Non-Commercial Parking Lot to "C-2 IDZ AHOD" Commercial Infill Development Zone Overlay Airport Hazard Overlay District on Lot 42 and the South 62.5 Feet of Lots 14 through 18, Block 9, NCB 2802, located at 3910 McCullough Avenue. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 17054)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017171

(Associated Plan Amendment 17054)

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Non-Commercial Parking Lot

**Requested Zoning:** "C-2 IDZ AHOD" Commercial Infill Development Zone Overlay Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 20, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Olmos Park Village Shopping Center, GP, LLC/LP and George Stone, Inc.

**Applicant:** Olmos Park Village Shopping Center, GP, LLC/LP

**Representative:** Brown & Ortiz, PC

**Location:** 3910 McCullough Avenue

**Legal Description:** Lot 42 and the South 62.5 Feet of Lots 14 through 18, Block 9, NCB 2802

**Total Acreage:** 1.7803

**Notices Mailed**

**Owners of Property within 200 feet:** 38

**Registered Neighborhood Associations within 200 feet:** Monte Vista Neighborhood Association

**Applicable Agencies:** Department of Planning and Community Development

**Property Details**

**Property History:** The subject property was included in the Original City Limits established in 1938. As per city records, a portion was zoned "F" Local Retail District by Ordinance 1810, dated May 2, 1940. The property converted to the current "C-2" base zoning district that accompanied the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001). Another portion of the property was zoned "B" Two Family Residential District and "D" Apartment District, which changed to "B-2" Business District, established by Ordinance #52315, dated June 19, 1980. This also converted to the current "C-2" Commercial District in 2001. The last eastward portion of the property changed to the current "C-2" Commercial District and "R-4 CD" Residential Single-Family with a Conditional Use for a Non-Commercial Parking Lot by Ordinance 2007-01-04-0018, dated January 4, 2007.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-2, C-3R, R-4, MF-33

**Current Land Uses:** Bank, Single-Family Residential, Multi-Family Residential (four units)

**Direction:** East

**Current Base Zoning:** C-3, MF-33, R-4

**Current Land Uses:** Church, Medical Offices, Residential

**Direction:** South

**Current Base Zoning:** O-2, MF-33, R-5

**Current Land Uses:** Dental Office, Single-Family Residential, Multi-family Residential (Duplexes)

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Gas Station, Parking Lot, Retail Center, 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:** Hildebrand Avenue

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** McCullough Avenue

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** Holland Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Thoroughfare:** Judson Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are two bus stops within a minute-walk from the property. Bus Route Numbers 5 and 204 (Stop #89957) run along McCullough Avenue, directly west of the property. Bus Route Number 509 (Stop #99243) travels along Hildebrand Avenue, directly south of the property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. Infill Development Zone is exempt from TIA requirements.

**Parking Information:** Infill Development Zone waives parking requirements.

**ISSUE:**

None

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

None

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located within a Regional Center. However, it is located within a half-mile of the San Pedro Avenue Premium Transit Corridor.

**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 North Central Community Plan and is currently designated as “Neighborhood Commercial” and “Community Commercial” in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted “Community Commercial” land use designation. The “C-2” base zoning district is not consistent with the “Neighborhood Commercial” land use designation. The applicant has applied for a plan amendment for the entire property to “Community Commercial”. Staff and Planning Commission recommend approval.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. The west half of the block already has commercial uses on the property, and this area is at the beginning of a commercial corridor along McCullough Avenue.

**3. Suitability as Presently Zoned:**

The subject property is currently split-zoned. The existing “C-2” and “R-4” base zoning districts are appropriate for the surrounding area. However, the “R-4” base zoning district needs to be changed in order to develop the proposed coffee shop on the eastern half of the property.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The subject property is already predominantly commercial, and the addition of another commercial development on the property does not seem to be detrimental to the public’s health, safety, or welfare.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. It is also in line with goals of the North Central Community Plan that aim to support and promote business and employment development along commercial corridors.

**6. Size of Tract:**

The 1.7803-acre site is of sufficient size to accommodate the proposed development. There is existing development on half of the property, but the rest of the acreage is also of sufficient size to accommodate a coffee shop.

**7. Other Factors:**

None