



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5875  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 12/7/2017  
**Title:** ZONING CASE # Z2017277 S (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 NA AHOD" Commercial Non Alcoholic Sales Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Party House, Reception Hall, and Meeting Facility with Alcohol Sales on Lots 7, 8, 9, 10, Block 2, NCB 1725, located 2030 North Main Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2017-12-07-0942

Date	Ver.	Action By	Action	Result
12/7/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017277 S

**SUMMARY:**

**Current Zoning:** "C-2 NA AHOD" Commercial Non Alcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Party House, Reception Hall, and Meeting Facility with Alcohol Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 17, 2017

**Case Manager:** Angela Cardona, Planner

**Property Owner:** Boli-Mex LLC

**Applicant:** Gonzalo Pozo

**Representative:** Gonzalo Pozo

**Location:** 2030 North Main Street

**Legal Description:** Lots 7, 8, 9, 10; Block 2, NCB 1725

**Total Acreage:** 0.777 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** The Tobin Hill Community Association

**Applicable Agencies:** None.

**Property Details**

**Property History:** The subject property is located within the original 36 square mile city limits and was zoned "D" Apartment District and "H (UC)" Local Retail Urban Corridor District. The property was zoned to "B-2 NA" Non Alcoholic Business Sales District and "B-2 NA UC" Non Alcoholic Sales Business Urban Corridor District on December 14, 1995 (Ordinance 83331). The property was then converted to the current zoning upon adoption of the Unified Development Code on May 3, 2001 (Ordinance 93881).

**Topography:** The 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-3"

**Current Land Uses:** Vacant Building

**Direction:** East

**Current Base Zoning:** "C-1"

**Current Land Uses:** Retail

**Direction:** South

**Current Base Zoning:** "C-3"

**Current Land Uses:** Retail

**Direction:** West

**Current Base Zoning:** "C-2" and "MF-33"

**Current Land Uses:** Offices and Apartments

**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.

The Main Ave./McCullough Ave. Urban Corridor ("UC-5") provides site development standards for commercial properties up to 1,000 feet from the street right-of-way on either side of Main Ave. a collector, between I.H. 35 on the south and Huisache Ave. on the north, and two hundred (200) feet from the street right-of-way on either side of McCullough Ave. an arterial, between I.H. 35 on the south and Huisache Ave. on the north. The standards primarily address building placement, landscaping, building materials, façade design and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** North Main Avenue

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None Known.

**Thoroughfare:** West Ashby Place

**Existing Character:** Local Street

**Proposed Changes:** None Known.

**Public Transit:** The VIA bus route #20 and #90 is within walking distance of the subject property.

**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:** Parking requirements are determined by use. Commercial uses generally requires a minimum of 1 parking space per 300 square feet and a maximum of 1 parking space per 200 square feet

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. The current zoning of “C-2” Commercial District accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair(sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods is permitted except for outdoor dining. C-2NA districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

### **FISCAL IMPACT:**

None.

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

The subject property is within proximity to the Midtown Regional Center and the New Braunfels Avenue Premium Transit Corridor.

### **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 Tobin Hill Neighborhood Plan and is currently designated at “Mixed Use”. The request for “C-2” base zoning district is consistent with the adopted future land use plan.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request,

as an established business already exists and the base zoning will remain “C-2”. The property is surrounded by commercial uses.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the subject property’s location. The applicant is rezoning to allow a Specific Use Authorization for a Party House, Reception Hall, and Meeting Facility with Alcoholic Sales. An Alcohol Variance was obtained in June, 2017 (Ordinance 2017-06-01-0400).

**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 rezoning request does not appear to conflict with any public policy objective as it supports the base zoning will remain “C-2”.

**6. Size of Tract:**

The subject property totals 0.777 acres in size, which will add additional accommodations for the uses permitted in “C-2” Commercial District.

**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 with may, under the right set of circumstances and conditions be acceptable in certain specific locations.