



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-3242  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 5/15/2018  
**Title:** ZONING CASE # Z2018171 (Council District 2): A request for a change in zoning from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 24, Lot 25, Lot 27, Lot 28, Lot 29, Lot 30, Lot 31 and the south 40-feet of Lot 32, Block 5, NCB 12875, located at 403, 415, and 431 Stutts Drive. Staff recommends Denial. (Associated Plan Amendment 18051)  
**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:** 2

**SUBJECT:**

Zoning Case Z2018171  
(Associated Plan Amendment 18051)

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 15, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Donald W. Rackler

**Applicant:** Jerry Arredondo

**Representative:** Jerry Arredondo

**Location:** 403, 415 and 431 Stutts Drive

**Legal Description:** Lot 24, Lot 25, Lot 27, Lot 28, Lot 29, Lot 30, Lot 31 and the south 40-feet of Lot 32, Block 5, NCB 12875

**Total Acreage:** 2.0946

**Notices Mailed**

**Owners of Property within 200 feet:** 24

**Registered Neighborhood Associations within 200 feet:** Eastgate Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The properties were annexed into the City of San Antonio and zoned Temporary "R-1" Single-Family Residence District by Ordinance 33810, dated December 16, 1965. The properties were rezoned from Temporary "R-1" to "R-1" Single-Family Residence District by Ordinance 70527, dated November 2, 1989. The properties converted from "R-1" to the current "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6", "C-3NA"

**Current Land Uses:** Single-Family Residence, Ag Pro Companies

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residences, Vacant Lots

**Direction:** South

**Current Base Zoning:** "C-3NA", "R-6"

**Current Land Uses:** Jewelry Sales, Vacant Lot, Duplex

**Direction:** West

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

**Current Land Uses:** Ag Pro Companies, Vacant Lots

**Overlay and Special District Information:**

"AHOD"

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:** Stutts Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Eunice Street  
**Existing Character:** Local Street  
**Proposed Changes:** None Known

**Public Transit:** VIA bus route 25 is located ½ of a mile from the subject properties.

**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:**

The minimum parking spaces required varies depending on the commercial use of the property.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-6”, which permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family homes, public and private schools.

**FISCAL IMPACT:**

None.

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

The properties are not located within a Regional Center or within a ½ of a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 I-10 East Corridor Perimeter Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-3NA” base zoning district is not consistent with the “Low Density Residential” land use designation. The applicant is requesting a land use amendment from “Low Density Residential” to “Regional Commercial” to accommodate the proposed rezoning. Staff recommends Denial of the Plan Amendment. Planning Commission continued the case to June 13, 2018.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Stutts Drive is a residential street and the introduction of commercial uses could negatively impact the residents.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District is appropriate for the surrounding area. Stutts Drive is primarily a single-family street with commercial uses focused along Loop 410 access road.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. The introduction of a heavy commercial use within a neighborhood could adversely impact the safety or welfare of the residents.

**5. Public Policy:**

The proposed “C-3NA” General Commercial Nonalcoholic Sales District is not consistent with the goals and objectives of the I-10 East Corridor Perimeter Plan. The plan emphasizes preserving existing single-family developments, while locating most commercial uses at nodes, or along highly traversed corridors furthermore, the plan stipulates commercial uses to be segregated by intensity of use, with “Regional Commercial” uses being located primarily at the intersection of highways and arterials. The proposed rezoning would encroach into a residential neighborhood and could negatively impact the residents.

**6. Size of Tract:**

The properties are approximately 2.0946 acres, which could accommodate a large expansion of the existing business.

**7. Other Factors:**

None.