



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4238

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/2/2018

**Title:** ZONING CASE # Z2018216 CD (Council District 3): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Outside Storage (Open with no Screening Required) on 1.29 acres out of NCB 10866, located at 2902 Goliad Road. Staff and Zoning Commission recommended Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Field Notes, 6. Ordinance 2018-08-02-0580

Date	Ver.	Action By	Action	Result
8/2/2018	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2018216 CD

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Outdoor Storage (Open with No Screening Required)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 19, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Pleasanton Partners, L.P.

**Applicant:** Fernando De Leon

**Representative:** Fernando De Leon

**Location:** 2902 Goliad Road

**Legal Description:** 1.29 acres out of NCB 10866

**Total Acreage:** 1.29

**Notices Mailed**

**Owners of Property within 200 feet:** 4

**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed and zoned "B" Residence District by Ordinance 18115, dated September 25, 1952. The northern portion of the property was rezoned from "B" to "F" Local Retail District by Ordinance 29435, dated May 4, 1961. The southern portion of the property was rezoned from "B" to "F" by Ordinance 30069, dated January 17, 1962. The property converted from "F" to current "C-2" Commercial 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:** "C-2"

**Current Land Uses:** Gold's Gym

**Direction:** East

**Current Base Zoning:** Not Zoned Right of Way

**Current Land Uses:** Interstate Highway 37

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Retail Center

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Parking Lot, Auto Parts Retail

**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:** Goliad Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Southeast Military Drive

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 34 and 232 are 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:**

The minimum parking for the proposed retail business is 1 parking space per 300 square feet of the gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “C-2” Commercial District which accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, 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 shall be permitted except for outdoor dining

**FISCAL IMPACT:**

None.

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

The property is located within the Brooks City Base Regional Center and also within a ½ of a mile of the Looper 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 subject property is located within the Highlands Community Plan and is currently designated as “Regional Commercial” 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 finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The surrounding area is currently developed as a retail center.

**3. Suitability as Presently Zoned:**

The current “C-2” zoning is an appropriate base zoning for the property and the surrounding area. The surrounding properties all carry a variation of commercial base zoning.

**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 proposed rezoning does not appear to conflict with the goals, principles, and objectives of the Highlands Community Plan. The plan emphasizes the need to attract new businesses to the area. The future land use for the area is “Regional Commercial” which encourages large scale retail development. The site currently has ample parking and associated retail businesses. The requested rezoning would permit an additional retail store in an area that already has the infrastructure to support the proposed development.

Relevant Goals and Objectives of the Highlands Community Plan include:

- Goal 1: Economic Development - Improve the current variety of goods, services and employment available within the community by creating an environment conducive to commercial prosperity and encouraging new businesses to locate in the area.
- Objective 1.4: Business Character - Ensure new and existing businesses conform appropriately to the scale, design and character of the community, enhancing it aesthetically whenever possible.
- Goal 2: Community Appearance and Neighborhood Character - Improve the appearance of the community and maintenance of the commercial buildings while preserving the character of the Highlands neighborhoods.

**6. Size of Tract:**

The subject property is 1.29 acres, which could accommodate the proposed retail development.

**7. Other Factors:**

The purpose of the Conditional Use 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 which may under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is requesting the “CD” to store merchandise outside as a function of the proposed retail business.