City of San Antonio

Legislation Details (With Text)

File #:	18-6365
Type:	Zoning Case
	In control: City Council A Session
On agenda:	12/6/2018
Title:	ZONING CASE # Z2018351 CD (Council District 3): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District, "C-3NA CD AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Food and Dairy Products Processing, Packaging and Storage, and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Non-Commercial Parking Lot on 0.190 acres out of NCB 10943 and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Food Products - Processing on 0.189 out of NCB 10943, located at 1007 and 1031 Hot Wells Boulevard. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18108)
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2018-12-06-0982

Date	Ver.	Action By	Action	Result

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 3

SUBJECT:
Zoning Case Z2018351 CD
(Associated Plan Amendment 18108)

SUMMARY:
Current Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District, "C-3NA CD AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Food and Dairy Products Processing, Packaging and Storage, and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District

Requested Zoning: "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Non-Commercial Parking Lot on 0.190 acres and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Food Products - Processing on 0.189 acres

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: November 6, 2018

Case Manager: Kayla Leal, Planner

Property Owner: Capitol Concessions Realty, LLC

Applicant: Capitol Concessions Realty, LLC

Representative: Kaufman & Killen, Inc.

Location: 1007 and 1031 Hot Wells Boulevard

Legal Description: 0.379 acres out of NCB 10943

Total Acreage: 0.379

Notices Mailed
Owners of Property within 200 feet: 22
Registered Neighborhood Associations within 200 feet: Highland Hills Neighborhood Association
Applicable Agencies: None

Property Details
Property History: The subject property was annexed into the City of San Antonio on September 25, 1952, established by Ordinance 18115, and was zoned "B" Residence District. The zoning of the eastern property was changed to "O-1" Office District, established by Ordinance 78556, dated August 26, 1993. The eastern portion of that lot was changed to "B-3NA SUP" Non-Alcoholic Sales Business District with Special Use Permit for food and dairy products processing, packaging and storage, established by Ordinance 83210, dated January 11, 2001. The current "R-4," "C-3NA CD," and "O-2" converted from the previous zoning districts upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001.

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: R-4
Current Land Uses: Single-Family Residential

Direction: East
Current Base Zoning: I-1
Current Land Uses: Food processing, Industrial uses

Direction: South
Current Base Zoning: R-4
Current Land Uses: Single-Family Residential, Vacant Lot

Direction: West
Current Base Zoning: R-4
Current Land Uses: Church

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: Hot Wells Boulevard
Existing Character: Secondary Arterial Type B
Proposed Changes: None known

Public Transit: There is a bus stop within walking distance on Goliad Road along Bus Routes 34 and 232.

Traffic Impact: A Traffic Impact Analysis is not required. The traffic generated by the proposed development does not exceed threshold requirements.

Parking Information: The request for the vacant lot is for a non-commercial parking lot.

ISSUE:
None.

ALTERNATIVES:
Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The "R-4" base zoning district permits single-family dwellings (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools. The "O-2" base zoning district provides for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as "permitted" in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The subject property is located within the Brooks Regional Center.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff and Zoning Commission (8-0) recommend 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 Highland Hills Land Use Plan and is currently designated as "Low Density Residential" in the land use component of the plan. The requested "R-4" base zoning district is consistent with the adopted land use designation. The requested "C-2" base zoning district is not consistent with the adopted land use designation. The applicant is requesting a Plan Amendment in order to align the zoning

with the plan. Staff recommends Approval. The case was postponed by the applicant for the Planning Commission meeting of October 24, 2018 because they increased the area to be considered. The land use amendment is scheduled for the Planning Commission meeting of November 14, 2018.

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.

3. Suitability as Presently Zoned:
The existing "R-4" base zoning district is appropriate for the surrounding area. The existing "O-2" base zoning district is not appropriate for the surrounding area.

4. Health, Safety and Welfare:
Staff has not found any 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.

6. Size of Tract:
The 0.379 acre site is of sufficient size to accommodate the proposed development. The building is existing and the vacant lot will accommodate for parking.

7. Other Factors:
The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

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