



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-6523

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/17/2019

**Title:** ZONING CASE # Z2018338 CD (Council District 1): Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with Conditional Use for a Construction Contractor Facility on the south 102-feet of Lot 1, Block 218, NCB 3945, the south 93-feet of Lot 2, Block 218, NCB 3945, and the south 100-feet of Lot 3, Block 218, NCB 3945, located at 1731, 1735, and 1739 West Hildebrand. 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 2019-01-17-0044

Date	Ver.	Action By	Action	Result
1/17/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018338 CD

**SUMMARY:**

**Current Zoning:** "C-1 AHOD" Light Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with Conditional Use for a Construction Contractor Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 20, 2018. This case is continued from the November 6, 2018 hearing.

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Javier Cazares

**Applicant:** Javier Cazares

**Representative:** Javier Cazares

**Location:** 1731, 1735, and 1739 West Hildebrand

**Legal Description:** South 102-feet of Lot 1, Block 218, NCB 3945, the south 93-feet of Lot 2, Block 218, NCB 3945, and the south 100-feet of Lot 3, Block 218, NCB 3945

**Total Acreage:** 0.3386

**Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** Los Angeles Heights, and Keystone Neighborhood Association

**Applicable Agencies:** none

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio, and was zoned "B" Residence District. Ordinance 82496 rezoned the property to "B-1" Business District, and upon the adoption of the 2001 Unified Development Code the previous "B-1" converted to the current "C-1" Commercial District.

**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:** R-4

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

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residences, Salon Beauty

**Direction:** South

**Current Base Zoning:** C-1, R-4, C-2NA, C-2

**Current Land Uses:** Retail Shop, Restaurant, Quadplex, Parking Lot, HEB, Single-Family Residences

**Direction:** West

**Current Base Zoning:** R-4, R-4 CD, NC, C-1,

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

**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:** West Hildebrand Avenue

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Brad

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA routes 509 and 651 are caddy corner 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:** Minimum-1 per 1,500 SF GFA

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. “C-1” Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail - no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. 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 subject property is not within a Regional Center, but is on a Premium Transit Corridor route.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (8-0) 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 Near Northwest Sector Plan, and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-1” Light Commercial base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant was cited by code on July 11, 2018 for storage of heavy construction equipment and trailers. The property is currently being used as a construction contractor facility, and allowing the change in zoning will bring the property into compliance. In addition, conditions may be added to further protect surrounding properties.

**3. Suitability as Presently Zoned:**

The current “C-1” base zoning district is appropriate for the subject property’s location. The request will not

change the base zoning, but will add the conditional use for a construction contractor facility.

**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.

**6. Size of Tract:**

The subject property totals 0.338 acres in size, which reasonably accommodates the uses permitted in “C-1” Light Commercial District.

**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.