## City of San Antonio

## Legislation Details (With Text)

| File \#: | 19-8433 |  |  |
| :---: | :---: | :---: | :---: |
| Type: | Zoning Case |  |  |
|  | In control: Zoning Commission |  |  |
| On agenda: | 11/19/2019 |  |  |
| Title: | ZONING CASE Z-2019-10700272 CD (Council District 3): A request for a change in zoning from "C-2 NA" Commercial Nonalcoholic Sales District to "C-2 CD" Commercial District with Conditional Use for a Construction Contractor Facility on Lot 2, Block 11, NCB 10876, generally located southwest of Southeast Military Drive and Emory Oak Drive. Staff recommends Approval. (Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department). |  |  |
| Sponsors: |  |  |  |
| Indexes: |  |  |  |
| Code sections: |  |  |  |
| Attachments: | 1. Location map, 2. Site Plan |  |  |
| Date | Ver. Action By | Action | Result |

DEPARTMENT: Development Services
DEPARTMENT HEAD: Michael Shannon
COUNCIL DISTRICTS IMPACTED: 3

## SUBJECT:

Zoning Case Z-2019-10700272 CD
SUMMARY:
Current Zoning: "C-2 NA" Commercial Nonalcoholic Sales District
Requested Zoning: "C-2 CD" Commercial District with Conditional Use for a Construction Contractor Facility

## BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 19, 2019
Case Manager: Patricia Franco, Planner
Property Owner: AAMIL Plaza LLC
Applicant: AAMIL Plaza LLC
Representative: Patrick Christensen
Location: Generally located southwest of Southeast Military Drive and Emory Oak Drive

Legal Description: Lot 2, Block 11, NCB 10876
Total Acreage: 5.73

## Notices Mailed

Owners of Property within 200 feet: 33
Registered Neighborhood Associations within 200 feet: Southeast Side Neighborhood Association
Applicable Agencies: Texas Department of Transportation

## Property Details

Property History: The subject property was annexed by Ordinance 18115 on September 25, 1952 and originally zoned "B" Residence District. The subject property was rezoned to "C-2 NA" Commercial NonAlcoholic District by Ordinance 95035 on December 13, 2011.

Topography: The subject property is not located within the 100-year flood plain.

Adjacent Base Zoning and Land Uses<br>Direction: North<br>Current Base Zoning: "R-4"<br>Current Land Uses: Single family residences

Direction: East
Current Base Zoning: "C-2"
Current Land Uses: Vacant
Direction: South
Current Base Zoning: " $\mathrm{R}-4$ "
Current Land Uses: Single family residences
Direction: West
Current Base Zoning: " $R-4$ "
Current Land Uses: Highland Forest Elementary

## Overlay and Special District Information:

N/A

## Transportation

Thoroughfare: South East Military Drive
Existing Character: Principal
Proposed Changes: Primary Arterial A
Public Transit: VIA bus routes are within walking distance of the subject property.
Routes Served: 552
Traffic Impact: A Traffic Impact Analysis (TIA) cannot be determined at this time.
Parking Information: The minimum parking requirement for a Contractor Facility is 1 per $1,500 \mathrm{sf}$ of GFA.

## ISSUE:

None.

## ALTERNATIVES:

Current: Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-2". These districts accommodate community commercial uses, with unlimited building size. 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, dry cleaning, and pawn shop. No outdoor storage or display of goods shall be permitted except for outdoor dining.

Proposed: The proposed "C-2 CD" Commercial District allows the above noted uses in addition to a Conditional Use for a Construction Contractor Facility.

## FISCAL IMPACT:

None.

## Proximity to Regional Center/Premium Transit Corridor

The subject property is not within a Regional Transit Center or located within a half mile of a Premium Transit Corridor.

## RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends 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 Brooks Area Regional Center and is currently designated as "Urban Mixed Use" 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 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. The requested "C-2" maintains the base zoning district and removes the existing "NA" Nonalcoholic Sales designation.

## 3. Suitability as Presently Zoned:

The existing "C-2" Commercial base zoning is an appropriate zoning district for the surrounding area. The added Conditional Use allows for consideration of conditioning down of a "C-3" use to a "C-2" district. It also allows, where appropriate, for conditions such as buffering, fencing, hours of operation and restricted temporary signage.

## 4. Health, Safety and Welfare:

Staff has not found 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 following goals, principles, and objectives of the Brooks Area Regional Center:

Economic Development Recommendations: Economic Development Recommendation \#2: Diversify employers and job opportunities in the Brooks Area Regional Center.

## 6. Size of Tract:

The subject property is approximately 5.73 acres, which would adequately support the requested commercial use.

## 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.

The applicant is seeking to develop a currently vacant lot for the use of a construction contractor facility.

