



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8757

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/16/2020

**Title:** ZONING CASE Z-2019-10700189 CD (Council District 7): Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 CD AHOD" General Commercial Airport Hazard Overlay District with Conditional Use for a Theater - Indoor permitting Over 2 Screens on Lot 2, Block 2, NCB 17120, located at 5063 Northwest Loop 410. 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 2020-01-16-0036

Date	Ver.	Action By	Action	Result
1/16/2020	1	City Council A Session	approved on the Consent Agenda	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z-2019-10700189

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD AHOD" General Commercial Airport Hazard Overlay District with Conditional Use for a Theater - Indoor permitting Over 2 Screens

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 19, 2019

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** CSA Holdings, LLC

**Applicant:** Clayton J. Strolle

**Representative:** Clayton J. Strolle

**Location:** 5063 Northwest Loop 410

**Legal Description:** Lot 2, Block 2, NCB 17120

**Total Acreage:** 6.215

**Notices Mailed**

**Owners of Property within 200 feet:** 10

**Registered Neighborhood Associations within 200 feet:** None.

**Applicable Agencies:** Texas Department of Transportation and Planning Department

**Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned "B-3NA" Business District, Nonalcoholic Sales. The subject property converted from "B-3NA" to "C-3NA" General Commercial Nonalcoholic Sales District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 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:** "MF-33"

**Current Land Uses:** Apartments

**Direction:** East

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

**Current Land Uses:** Sam's Club

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Apartments

**Direction:** South

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

**Current Land Uses:** PetSmart

**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:** Northwest Loop 410

**Existing Character:** Highway

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Route Served: 607

**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 requirement for a Theater - indoor permitting over 2 screens is 1 per 6 seats.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-3NA" General Commercial Nonalcoholic District.

**Current:** "C-3NA" General Commercial districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets. District regulations within the "C-3NA" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

**Proposed:** The "C-2" Commercial Districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. This district permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. This district promotes a broad range of commercial operations and services necessary for large regions of the city, providing community balance.

The Conditional Use is for a Theater - Indoor permitting Over 2 Screens.

**FISCAL IMPACT:**

None.

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

The property is part of the Medical Center Regional Center and is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 North Sector Plan and is currently designated as "Mixed Use Center" in the future land use component of the plan. The requested "C-2" base zoning district is consistent with the requested future land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The base zoning of "C-2" will remain the same.

### **3. Suitability as Presently Zoned:**

The current “C-3NA” zoning is appropriate for the property and surrounding area. The proposed “C-2” Commercial District use maintains the base zoning and is an appropriate zoning for this property as it is directly adjacent to other “C-3” zoned properties. The Conditional Use allows consideration of a Theater - Indoor permitting Over 2 Screens with any necessary conditions.

### **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 North Sector Plan:

- ED-1.3 Continue to maintain and revitalize the North Sector to retain and expand vibrant retail and commercial uses within the IH-10, IH-35, Loop 410 and Loop 1604 corridors and/or centers.
- LU-1.5 Promote flexibility and innovation in residential, business and recreational land uses through planned unit developments, conservation subdivisions, specific plans, mixed use projects, and other innovative development and land use planning techniques.
- LU-3.3 Promote job growth in the Specialized, Regional, and Mixed Use Centers to achieve the City’s diversified business targets through land use guidance and economic incentives.

### **6. Size of Tract:**

The subject property is 6.215 acres, which could reasonably accommodate a movie theater.

### **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.