



# City of San Antonio

## Agenda Memorandum

**File Number:**16-1882

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**Agenda Item Number:** Z-14.

**Agenda Date:** 4/7/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2016026 CD

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Moving Company

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 16, 2016. This case is continued from the February 2, 2016 hearing.

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** Magnum Movers, LLC

**Applicant:** Magnum Movers, LLC

**Representative:** Brown & Ortiz, PC (c/o James McKnight)

**Location:** Generally located in the 1800 block of Loop 1604 North at Kilmarnoch

**Legal Description:** Lot P-36, NCB 34400

**Total Acreage:** 0.510

**Notices Mailed**

**Owners of Property within 200 feet:** 7

**Registered Neighborhood Associations within 200 feet:** Oak Creek Neighborhood Association.

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City Limits on 12/31/2000 (ordinance # 92902) and was originally zoned Temporary “R-1” Single-Family District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to “R-6” Residential Single-Family District.

**Topography:** The property is not within a flood plain. However, portion of the property’s features includes a steep slope.

**Adjacent Base Zoning and Land Uses**

**Direction:** West, North

**Current Base Zoning:** UZROW, R-6, C-2NA,

**Current Land Uses:** Recreation/ Private Park, ROW.

**Direction:** East, South

**Current Base Zoning:** R-6, C-2

**Current Land Uses:** Vacant Land, Single-Family Homes.

**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:** North 1604 Loop

**Existing Character:** Freeway

**Proposed Changes:** None known

**Thoroughfare:** Kilmarnoch

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** No VIA transit routes nearby the subject property.

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

**Parking Information:** Moving Company: Minimum vehicle parking spaces NA. Maximum vehicle parking spaces NA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

## **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 West / Southwest Sector Plan and is currently designated as Suburban Tier. The requested "C-2" base zoning districts is appropriate for the subject property. The requested Conditional Use is intended for the operation of a moving company with moving trucks to be parked.

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

Staff has found no evidence of likely adverse impacts on surrounding properties.

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

The proposed rezoning to "C-2" is appropriate for the subject property. The subject property location, next to Loop West 1604 North and adjacent to other commercial properties, makes it appropriate for the "C-2 CD" Commercial with a Conditional Use for Moving Company. The development of the subject property with these zoning districts contributes toward the West / Southwest Sector Plan vision of compatibility and purpose of the plan.

### **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 request does not appear to conflict with any public policy objective.

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

The subject property is 0.510 acres in size, which accommodates the proposed development with adequate space for parking.

### **7. Other Factors:**

The conditional zoning procedure is designed to provide for a land use within an area 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 granting of zoning with Conditional Use shall only be for the zoning case named in the ordinance approving the zoning district with the specified conditional use provisions.

Staff recommends the following conditions:

1. Solid screen fencing adjacent to residential zoning and uses.
2. A buffer yard of fifteen (15) feet is required per Section 35-510.

This case was previously submitted as a request for "C-2 CD" Commercial with a Conditional Use for Manufactured Home/Oversized Vehicle Sales, Service or Storage. The applicant has officially amended the request to the current request of "C-2 CD" Commercial with a Conditional Use for a Moving Company. The case was published and noticed appropriately for consideration at the February 2, Zoning Commission Hearing.

