



# City of San Antonio

## Agenda Memorandum

**File Number:**16-3372

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**Agenda Item Number:** Z-1.

**Agenda Date:** 8/4/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2016127

(Associated Plan Amendment 16034)

**SUMMARY:**

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

**Requested Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2016. This case is continued from the April 19, 2016 and May 3, 2016 hearings.

**Case Manager:** Shepard Beamon, Planner

**Property Owner:** The Estate of Mary Joseph Abdo

**Applicant:** Solomon Abdo

**Representative:** David Triplett

**Location:** 1611-1615 West Avenue and 110 Frost Street

**Legal Description:** Lots 1, 2, 3, 4, 5, and 6, Block 13, NCB 8448

**Total Acreage:** 0.4132

**Notices Mailed**

**Owners of Property within 200 feet:** 41

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

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was annexed within City limits on May 13, 1940 (Ordinance # 1845). According to available records, the subject property was zoned "F" Local Retail District. The subject property was then rezoned to "B-3R" Restrictive Business District on March 16, 1989 (Ordinance # 69074). Upon the adoption of the 2001 Unified Development Code, the subject property was converted to "C-3R" General Commercial Restrictive Alcohol Sales District. On April 1, 2010, Lots 1, 2, 3, and 4 were rezoned to "C-1" Light Commercial District and Lots 5 and 6 were rezoned to "NC" Neighborhood Commercial as part of a large area rezoning (Ordinance # 2010-04-01-0281).

**Topography:** None.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4, R-6, C-1, C-1 CD

**Current Land Uses:** Single-Family Residences, Vacant, Used Auto Sales, Shop Building, Parking Lot, Office Building

**Direction:** East

**Current Base Zoning:** C-1 CD, R-6

**Current Land Uses:** Single-Family Residences, Auto Repair, Child Daycare

**Direction:** South

**Current Base Zoning:** R-4, R-6, C-1, C-1 CD

**Current Land Uses:** Single-Family Residences, Tire Shop, Vacant Lots

**Direction:** West

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residences

**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 Avenue

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** Frost Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** VIA Bus Routes 97 and 296 have stops along West Avenue within close proximity to 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:** Any future development of the property will reference Table 526-3b in Parking under Non-Residential Use Districts, in the Unified Development Code.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present “NC” and “C-1” zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment. Zoning Commission (10-0) recommends Denial.

**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 Plan and is designated as Neighborhood Commercial. The requested "C-2" base zoning district is not consistent with the adopted land use designation. The applicant has requested a plan amendment to Community Commercial. Staff and Planning Commission recommend Approval.

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

Staff has found no evidence of likely adverse impacts on surrounding properties in relation to this zoning request.

**3. Suitability as Presently Zoned:**

The existing “NC” and “C-1” zoning district is appropriate for the subject property. However, the requested “C-2” zoning district is suitable as the subject property is located adjacent to other commercial zoning. The subject property is also located on West Avenue, a major thoroughfare with high vehicular traffic volumes, making “C-2” an appropriate zoning designation. This rezoning is being requested to rezone an existing non-conforming structure to a zoning district that permits the allowed square footage for future improvements.

**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. The zoning request fulfills the goals of the Near Northwest Plan, as the plan encourages improving the quality of commercial corridors and attracting investors for buildings available for development.

**6. Size of Tract:**

The subject property is 0.4132 acres in size, which accommodates the proposed development for adequate parking for commercial uses.

**7. Other Factors:**

None.