



# City of San Antonio

## Agenda Memorandum

**File Number:**16-5354

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**Agenda Item Number:** 16.

**Agenda Date:** 10/18/2016

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2016262

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**Requested Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 18, 2016

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Mi Casita Properties, Inc

**Applicant:** Antonio Oruna Dergal

**Representative:** Antonio Oruna Dergal

**Location:** 323 North Zarzamora Street

**Legal Description:** N. 50 ft. of Lots 7, 8, 9, 10 & 11, Block 11, NCB 2250

**Total Acreage:** 0.229

**Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** Prospect Hill Neighborhood Association

**Applicable Agencies:** None.

### **Property Details**

**Property History:** The subject property is located within the city limits as established in 1938 and was zoned "G" Local Retail District and "C" Apartment District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2" Commercial District and "MF-33" Multi-Family District. The subject property is not platted in its current configuration and currently vacant.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

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

**Direction:** North

**Current Base Zoning:** C-2, MF-33

**Current Land Uses:** Commercial Structures, Residential Single-Family

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Commercial Structures

**Direction:** South

**Current Base Zoning:** C-2, MF-33

**Current Land Uses:** Convenience Store, Motel, Residential Single-Family

**Direction:** West

**Current Base Zoning:** MF-33

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

**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:** Zarzamora

**Existing Character:** Primary Arterial, Type B

**Proposed Changes:** None known

**Thoroughfare:** Gould, Salinas, Huntington

**Existing Character:** Local, Type A

**Proposed Changes:** None known

**Public Transit:** The nearest transit line to the subject property is the VIA route 520 which operate along North Zarzamora.

**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:** Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to Auto and Vehicle Sales.

Minimum Parking Requirement: 1 per 500 square feet Gross Floor Area of sales and service building;  
Maximum Parking Requirement: 1 per 375 square feet Gross Floor Area of sales and service building.

**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 recommends Denial.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The subject property is not located within any adopted Neighborhood, Community, or Sector Plan. However, the proposed “C-3” base zoning district is not consistent with surrounding land use. The intensity of the proposed zoning request is not compatible to the existing zoning and land uses that dominate this section of North Zarzamora of less intense business land uses.

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

Staff finds an adverse impact on neighboring lands in relation to this zoning change request that seeks to introduce a more intense land use where less intense land use of existing Commercial and Residential.

**3. Suitability as Presently Zoned:**

The existing “C-2” base zoning district is consistent with surrounding zoning and uses. However, staff is not supportive of a Conditional Use for Motor Vehicle Sales.

**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. Even though staff does not find a direct conflict of a specified public policy, introducing intense commercial activity is inconsistent with several urban planning principles.

**6. Size of Tract:**

The subject property measures 0.2296 acres and is not sufficient for the proposed development. Where the development would abut residential zoning and or use would implement buffers and setbacks that would leave very little developable area for the small subject property.

**7. Other Factors:**

Conditional zoning is designed to provide for a land use within an area that is not permitted by the established zoning district but due to some inherent development qualities would be compatible to the adjacent uses under some given conditions.

Staff was unable to determine any inherent development qualities that make the proposed use compatible to the adjacent uses.