



# City of San Antonio

## Agenda Memorandum

**File Number:**17-1920

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**Agenda Item Number:** Z-23.

**Agenda Date:** 4/6/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z2017018 CD

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Outside Storage and Display of Tires

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 21, 2017. This case was continued from the February 7, 2017, January 17, 2017 and December 20, 2016 Zoning Commission Meetings.

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Mario A. Martinez and Deyanira Martinez

**Applicant:** Jerry Arredondo

**Representative:** Jerry Arredondo

**Location:** 3315 Nacogdoches Road

**Legal Description:** 1.002 acres out of NCB 13751

**Total Acreage:** 1.002

**Notices Mailed**

**Owners of Property within 200 feet:** 18

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

**Applicable Agencies:** Parks and Aviation

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1952. Later, 1977 case (Ordinance 48728) zoned the subject property as “B-2” Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “C-2” Commercial District.

**Topography:** A very small portion of the property lies within the 100 year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

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

**Direction:** West

**Current Base Zoning:** R-6 and C-3

**Current Land Uses:** Residential Single-Family, and Gas Station

**Direction:** South

**Current Base Zoning:** I-2

**Current Land Uses:** Bexar County Tax Assessor Office

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant

**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:** Nacogdoches

**Existing Character:** Secondary Arterial.

**Proposed Changes:** None known.

**Thoroughfare:** Titan

**Existing Character:** Local Road.

**Proposed Changes:** None known.

**Public Transit:** VIA routes are 9 and 10 and directly in front of the south of 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:** Storage - Minimum Vehicle Spaces: 1 per 600 sf GFA. Maximum Vehicle Spaces: 1 per 350 sf GFA

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current "C-2" Commercial District.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (9-0) recommends Approval with Conditions, pending Plan Amendment.

**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 San Antonio International Airport Vicinity Plan, and is currently designated as Parks/Open Space in the future land use component of the plan. The requested "C-2" Commercial base zoning district is not consistent with the future land use designation. The applicant has requested a plan amendment to change the land use from Parks/Open Space to Community Commercial. Staff and Planning Commission recommend Approval.

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

The applicant proposes to use the subject property for outside storage and display of tires. The requested use is ordinarily permitted in intense commercial and industrial base zoning districts. Permitting a use as intense as that sought is against best planning practices to preserve the integrity of neighborhoods and limit intense development near residential areas.

**3. Suitability as Presently Zoned:**

The current "C-2" base zoning district is appropriate for the subject property's location with appropriate buffers, and uses between any commercial use and the adjacent neighborhood. "C-2" would also accommodate appropriate commercial uses that would front Nacogdoches Road.

**4. Health, Safety and Welfare:**

The requested "C-2 CD" zoning would introduce an intense activity, permitted by right in intense commercial and industrial districts, adjacent to an established single-family neighborhood. Staff finds that the request is contrary to the welfare of the community.

**5. Public Policy:**

The request requires a Plan Amendment to Community Commercial. Should the plan be amended, the request would be consistent with the stated public policy.

**6. Size of Tract:**

The subject property totals 1.685 acres in size, which reasonably accommodates the uses permitted in "C-2" Commercial District.

**7. Other Factors:**

Staff recommends Denial. However, should City Council vote to approve the request, staff would recommend the following conditions:

1. Shipping containers will be located at the rear of the building behind the existing solid fence.
2. The shipping containers will not be stacked on top of each other and will be screened properly, assuring the containers will not be visible from the street or neighborhoods.
3. There will be no 18 Wheelers stored or parking on the property.