



# City of San Antonio

## Agenda Memorandum

**File Number:** 17-3803

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

**Agenda Date:** 8/3/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2017160 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 a Funeral Home/Undertaking Parlor

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 6, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** M2G Stone Oak, Ltd. c/o Asset Manager, Milam Capital Real Estate, LLC

**Applicant:** M2G Stone Oak, Ltd. c/o Asset Manager, Milam Capital Real Estate, LLC

**Representative:** Patrick W. Christensen

**Location:** 1500 Block of West Loop 1604

**Legal Description:** 6.611 acres out of NCB 34400

**Total Acreage:** 6.611 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 19

**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 of San Antonio on December 31, 2000 and zoned "Temporary R-1" Temporary Residential District by Ordinance #92902. Upon the adoption of the 2001 Unified Development Code, the "Temporary R-1" base zoning district converted to "R-6" Residential Single-Family District. On June 7, 2007, the zoning changed to the current "C-2" Commercial District by Ordinance 2007-06-07-0665.

**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 CD, R-6

**Current Land Uses:** Moving Company, Oak Creek Neighborhood Association Club House, Single-Family Residential

**Direction:** East

**Current Base Zoning:** R-6

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

**Direction:** South

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant Lots (across Loop 1604)

## **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:** Loop 1604

**Existing Character:** Freeway

**Proposed Changes:** None known

**Thoroughfare:** Bonny Bray Lane

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** Bus routes 64 and 620 (Stop #96456) are about a three (3) minute walk south of the property along Loop 1604.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required.

**Parking Information:** A Funeral Home or Undertaking Parlor requires a minimum of one (1) parking space per four (4) seats and a maximum of one (1) parking space per two (2) seats.

**ISSUE:**

None.

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center and is not within a half-mile of 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 West/Southwest Sector Plan and is currently designated as “Regional Commercial” in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area.

**3. Suitability as Presently Zoned:**

The existing “C-2” base zoning district is appropriate for the surrounding area. There is currently commercial zoning to the south and the west of the property.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The site seems appropriate for the requested zoning change. There are residential uses to the east of the property, but with the appropriate Type B buffer yard, which has a minimum fifteen (15) foot depth requirement, there does not seem to be any indication of likely adverse effects.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective because it is consistent with the land use plan.

**6. Size of Tract:**

The 6.611-acre site is of sufficient size to accommodate the proposed development. The site is large enough to fit the funeral home/undertaking parlor and an adequate amount of parking.

**7. Other Factors:**

The Conditional Use 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 the 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.