



# City of San Antonio

## Agenda Memorandum

**File Number:** 17-4842

---

**Agenda Item Number:** 20.

**Agenda Date:** 9/5/2017

**In Control:** Zoning Commission

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2017224

**SUMMARY:**

**Current Zoning:** "C-3 R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District for One (1) Dwelling Unit

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 5, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Roberto Martinez

**Applicant:** Roberto Martinez

**Representative:** Roberto Martinez

**Location:** 515 South General McMullen Drive

**Legal Description:** West 64.5 Feet of Lot 33 and Lot 34, Block 32, NCB 8654

**Total Acreage:** 0.074

**Notices Mailed**

**Owners of Property within 200 feet:** 29

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

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on August 3, 1944 (Ordinance 1258) and zoned "JJ" Commercial District. The subject property zone changed to "B-3R" Restrictive Business District on October 18, 1990, established by Ordinance 72510. The current "C-3R" General Commercial Restrictive Alcohol Sales converted from the previous "B-3R" upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

**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-3R"

**Current Land Uses:** Vacant Lot, Bakery, Single-Family Residence

**Direction:** East

**Current Base Zoning:** C-3R (across General McMullen), R-4

**Current Land Uses:** Retail Center, Single Family-Residences

**Direction:** South

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

**Current Land Uses:** Vacant Lot, Single-Family Residence

**Direction:** West

**Current Base Zoning:** R-4

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

### **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:** South General McMullen Drive

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None known

**Public Transit:** The nearest bus stop (Stop #81927) is a short distance away from the subject property and is along Bus Routes 524 and 75. It is north of the property at the South General McMullen and San Fernando Street intersection.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. Infill Development Zone (IDZ) is exempt from TIA requirements.

**Parking Information:** A single-family home requires a minimum of one (1) parking space per unit and does not have a maximum.

**ISSUE:**

None.

#### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The current “C-3 R” General Commercial Restrictive Alcoholic Sales District is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. There is an additional restriction is “C-3 R” which prohibits the sale of alcoholic beverages for on-premise consumption.

#### **FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center.

The subject property is located within a half-mile of two (2) Premium Transit Corridors: the General McMullen-Babcock Premium Transit Corridor and the Commerce-Houston Premium Transit Corridor.

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 “General Urban Tier” in the future land use component of the plan. The requested “IDZ” 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-3R” base zoning district is appropriate for the surrounding area. Since it is fronting General McMullen Drive a commercial zone would be suitable. The existing single-family residence on the property suits the area, as there is also single-family residential to 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. There is an existing single-family residence on the property, and the applicant is requesting the rezone in order to do some renovations and add a room to the structure.

##### **5. Public Policy:**

The request does not appear to conflict with any public policy since it is consistent with the adopted land use

plan.

**6. Size of Tract:**

The subject property is 0.074 acres and is of sufficient size to accommodate the proposed development. The single-family residence already exists on the property.

**7. Other Factors:**

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.