



# City of San Antonio

## Agenda Memorandum

**File Number:**17-6708

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**Agenda Item Number:** 7.

**Agenda Date:** 12/19/2017

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2018010

(Associated Plan Amendment 18003)

**SUMMARY:**

**Current Zoning:** "C-2 GC-2 AHOD" Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District

**Requested Zoning:** "C-3 GC-2 AHOD" General Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 19, 2017. This case is continued from the December 5, 2017 Zoning hearing.

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** ICSAW Enterprises, INC

**Applicant:** ICSAW Enterprises, INC

**Representative:** Ajwad A Imad

**Location:** 8827 State Highway 151

**Legal Description:** Lot 9, Block 31, NCB 17643

**Total Acreage:** 1.82

**Notices Mailed**

**Owners of Property within 200 feet:** 11  
**Registered Neighborhood Associations within 200 feet:** None.  
**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property was annexed and zoned Temporary “R-1” Residential Single-Family District by Ordinance 59776, dated December 31, 1984. The property was rezoned from Temporary “R-1” to “B-2” Business District by Ordinance 92189, dated July 27, 2000. The property converted to the current “C-2” Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

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

**Direction:** North

**Current Base Zoning:** “C-2”

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** “C-2”

**Current Land Uses:** Raising Cane’s Restaurant

**Direction:** South

**Current Base Zoning:** “C-2”

**Current Land Uses:** McDonalds, Dental Office

**Direction:** West

**Current Base Zoning:** “C-2”

**Current Land Uses:** Gold’s Gym

### **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.

“GC-2”

The Highway 151 Gateway Corridor District (“GC-2”) provides site development standards for properties within 1,000 feet of Highway 151 between Highway 90 and the western City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** Potranco Road

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** State Highway 151

**Existing Character:** Freeway

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 64, 618, and 620 are within walking distance 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:**

The minimum parking required for a Tattoo Parlor/Studio is 1 space per 300 square feet of gross floor area (GFA).

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-2”, which allows car washes, minor automobile repair and service, amusement establishments, theaters, arcades, fitness centers, plant nurseries, paint and wall paper stores, gasoline stations with repair service, fix-it shops, community shopping centers, small motels; low to mid rise office buildings; no outdoor storage or display of goods except for outdoor dining.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center or within a ½ of a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial with an Alternate Recommendation of “C-2 CD” Commercial District with a Conditional Use for a Tattoo Parlor/Studio

**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 “C-3” base zoning district is not consistent with the future land use designation. The applicant is requesting a land use amendment from “General Urban Tier” to “Regional Commercial” to accommodate the proposed rezoning. Staff recommends Denial of the Plan Amendment and the Planning Commission’s recommendation is pending the December 13, 2017 hearing.

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

Staff finds that the proposed rezoning could have adverse impacts on neighboring lands in relation to this zoning change request. The requested rezoning is a more intense zoning district that is not consistent with the surrounding properties. The introduction of “C-3” General Commercial District in this area could set a precedence that could permit more intense commercial uses in the area.

**3. Suitability as Presently Zoned:**

The current “C-2” is an appropriate base zoning for the subject property due to the proximity to State Highway 151 and Potranco Road. The surrounding properties also carrying the same “C-2” base zoning.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The requested “C-3” base zoning is to permit a Tattoo Parlor/Studio and other possible “C-3” uses.

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

The proposed rezoning appears to conflict with some of the following goals and objectives of the West/Southwest Sector Plan.

Land Use Goals and Strategies of the West/Southwest Sector Plan:

- ED-3.1 Ensure the development of new business locations and employment centers are compatible with the West/Southwest Sector Land Use Plan
- Goal LU-1 Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses

#### **6. Size of Tract:**

The subject properties measure approximately 1.82 acres, which currently accommodates the retail center.

#### **7. Other Factors:**

A Conditional Use is less intense and will maintain the current base district of “C-2”.