



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1045

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**Agenda Item Number:** 32.

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

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018038

**SUMMARY:**

**Current Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 19, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** James P. Rocha

**Applicant:** James P. Rocha

**Representative:** James P. Rocha

**Location:** 759 North General McMullen

**Legal Description:** West 97 feet of Lot 11 and Lot 12, NCB 8289

**Total Acreage:** 0.1125

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Loma Vista Neighborhood Association, Prospect Hill Neighborhood Association, West End Hope in Action Neighborhood Association

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 6, 1945, established by Ordinance 2590, and zoned "JJ" Commercial District. The zoning converted to "I-1" General Industrial District, upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001). The subject property was rezoned to "R-5" Residential Single-Family District on May 17, 2007, established by Ordinance 2007-05-17-0588.

**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

**Current Land Uses:** Gas Station

**Direction:** East

**Current Base Zoning:** R-6, C-2

**Current Land Uses:** Vacant Lots

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Restaurant, Retail Shops

**Direction:** West

**Current Base Zoning:** R-5

**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:** North General McMullen

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None known

**Thoroughfare:** North San Augustine

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** The nearest bus stop (Stop #41183) is within walking distance on the corner of North General McMullen Drive and Culebra Road along Bus Routes 524 and 82. There is another bus stop (Stop #41886) south of the property on North General McMullen Drive along Bus Route 77.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Commercial allows a variety of uses, all of which have their own respective parking

requirements. Parking requirements can be found in the Unified Development Code, as per Table 526-3b.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. Single-family residential dwellings (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

**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 (½)-mile of the General McMullen-Babcock 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 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. There are commercial uses and zoning to the north and south of the property.

**3. Suitability as Presently Zoned:**

The existing “R-5” base zoning district is not appropriate for the surrounding area. There is “R-5” zoning to the west of the subject property, but the subject property is fronting North General McMullen Drive which is transitioning into a commercial corridor in that area. The requested “C-2” zoning is better-suited for the subject property.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The requested “C-2” base zoning district will be between North General McMullen Drive and the adjacent single-family residential uses. It will serve as a buffer between the Primary Arterial and the residential, which does not indicate likely adverse effects.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The requested zoning is consistent with the future land use designation in the West/Southwest Sector Plan.

**6. Size of Tract:**

The 0.1125 acre site is of sufficient size to accommodate the proposed development. There is currently a structure on the site, which could potentially be converted into a commercial use.

**7. Other Factors:**

None.