



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1447

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**Agenda Item Number:**

**Agenda Date:** 2/15/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018048 CD

**SUMMARY:**

**Current Zoning:** "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for a Go Cart Track

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for a Construction Contractor Facility with Outside Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2018. This case has been expedited to the February 15, 2018 City Council Hearing due to the cancellation of the January 16 Zoning Commission Meeting.

**Case Manager:** Nyliah Acosta

**Property Owner:** REAL TEX VENTURE CAPITAL, L.P.

**Applicant:** Gonzalo Martinez

**Representative:** John L. Benedict

**Location:** 7702 Briaridge Dr and 3330 Cherry Ridge Street

**Legal Description:** 14.02 acres out of NCB 11633, 13319, and 13382

**Total Acreage:** 14.02

**Notices Mailed**

**Owners of Property within 200 feet:** 11

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

**Applicable Agencies:** Planning Department, Texas Department of Transportation

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1952 and was zoned "A" Single-Family Residence District. A 1967 case, Ordinance 36078, rezoned a portion of the property "R-3" Multiple Family Residence District. A later case rezoned the property to "B-3" Business District, and in 1992, Ordinance 75932, rezoned the property from "B-3" Business District to "B-3 CC" Business District with City Council Approval for a Go-Cart Track. Upon the adoption of the 2001 Unified Development Code, the previous "B-3 CC" Converted to "C-3 S" General Commercial District with Specific Use Authorization for a go cart Track.

**Topography:** The property is within the Mandatory Detention Area.

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

**Direction:** North

**Current Base Zoning:** O-2, C-2, C-3, C-3 S

**Current Land Uses:** Vacant Lot, Medical Offices, Funeral Home, Nightclub

**Direction:** East

**Current Base Zoning:** O-2, C-2, C-3, R-5

**Current Land Uses:** Embassy Suites Hotel, Professional Office, Single-Family Residences

**Direction:** South

**Current Base Zoning:** C-2, C-3

**Current Land Uses:** Restaurant, Vacant Lots

**Direction:** West

**Current Base Zoning:** MF-33, C-2, C-3

**Current Land Uses:** Apartments, Professional Offices, Santikos Theatre

### **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:** Briaridge Drive

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** Cherry Ridge Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** Interstate 410

**Existing Character:** Access Road

**Proposed Changes:** None Known

**Thoroughfare:** Interstate Highway 10

**Existing Character:** Freeway

**Proposed Changes:** None Known

**Public Transit:** VIA route 551 is within walking distance from 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:** Contractor Facility- Minimum Vehicle Spaces: 1 per 1,500 sf GFA. Maximum Vehicle Spaces: 1 per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. "C-3" General Commercial districts are 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.

**FISCAL IMPACT:**

None.

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

The subject property is within close proximity to the Medical Center Regional Center and within ½ a mile within the Looper Metro Premium route.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval, with Conditions.

**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 North Sector Plan, and is currently designated as Suburban Tier in the future land use component of the plan. The requested "C-2" Commercial base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant proposes to develop the property to be used as a CPS facility. The property has frontage along Loop 410 and is surrounded by office and other "C-3" uses. A contractor facility will not drastically alter the character of the surrounding area.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is appropriate for the subject property’s location. The requested “C-2 CD” is a down zoning and will allow City Council to add any necessary conditions.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property totals 14.02 acres in size, which reasonably accommodates the uses permitted in “C-2” Commercial District.

**7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use 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.

If the request is approved, the following conditions are recommended:

- a. A six foot (6’) solid screen fence along Cherry Street and Briaridge Drive and an eight foot (8’) fence without toppers or outriggers along the remainder of the property.
- b. Downward shielded lighting.
- c. No outdoor amplification of sound.