



# City of San Antonio

## Agenda Memorandum

**File Number:**18-2057

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**Agenda Item Number:** Z-7.

**Agenda Date:** 3/1/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018055 S

(Associated Plan Amendment 18014)

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for a Construction Contractor Facility

**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:** Kayla Leal, Planner

**Property Owner:** Camilo V. Garcia

**Applicant:** Camilo V. Garcia

**Representative:** Raul Salazar

**Location:** 435 Menefee Boulevard

**Legal Description:** Lot 38, Block 33 and Block 35, NCB 3694

**Total Acreage:** 0.96

**Notices Mailed**

**Owners of Property within 200 feet:** 18

**Registered Neighborhood Associations within 200 feet:** Thompson Neighborhood Association  
**Applicable Agencies:** TXDOT

### **Property Details**

**Property History:** The subject property was included in the Original City Limits of San Antonio and zoned "B" Residence District. The subject property was rezoned to "R-1" One Family Residence District, established by Ordinance 63541, dated August 28, 1986. The current "R-6" base zoning district converted from the previous "R-1" base zoning district upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001.

**Topography:** The subject property is located within the 100-Year Flood Plain.

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

**Direction:** North

**Current Base Zoning:** US HWY 90, R-4

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

**Direction:** East

**Current Base Zoning:** C-3 S, R-6

**Current Land Uses:** Construction Contractor Facility, Single-Family Residential

**Direction:** South

**Current Base Zoning:** R-6

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

**Direction:** West

**Current Base Zoning:** R-6

**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:** Menefee Boulevard

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There is a bus stop (Stop #53493) south of the property located at the corner of Kirk Place and Barclay Street and is along Bus Routes 251 and 62.

**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:** A Contractor Facility requires a minimum of one (1) parking space per 1,500 square feet of the Gross Floor Area (GFA) and a maximum of one (1) parking space per 300 square feet of the GFA.

### **ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-6” base zoning district permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, as well as foster family home, and public/private schools.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Port of San Antonio Regional Center. The subject property is not located within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-1) recommend Denial.

**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 Kelly/South San P.U.E.B.L.O. Community Plan and is currently designated as “Low Density Residential” in the land use component of the plan. The requested “C-3” base zoning district is not consistent with the adopted land use designation. The applicant is requesting a Plan Amendment to “Regional Commercial.” Staff and Planning Commission recommend Denial of the amendment.

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

Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. There is an existing contractor facility directly to the east of the subject property, however the majority of the surrounding area is single-family residential. Menefee Boulevard is a local street, and the request of “C-3” does not belong on a local street. The “C-3” base zoning district is accompanied by intense commercial uses that should be placed along commercial corridors, along highways and arterials, and arterial intersections.

**3. Suitability as Presently Zoned:**

The existing “R-6” base zoning district is appropriate for the surrounding area. The area is predominately single-family residential. Menefee Boulevard is also a local street which should not be supporting a “Regional Commercial” use. Single-family residential or a much less intense zoning would be appropriate for the subject property.

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

Staff has found indication of likely adverse effects on the public health, safety, and welfare. The neighborhood mostly consists of single-family residential, and the subject property is near the middle of a block. The proposed use of a contractor facility is too intense for the location and indicates likely adverse effects on the public health, safety, and welfare.

**5. Public Policy:**

The request does appear to conflict with any public policy objective. Aside from the existing construction contractor facility, that area is predominantly single-family residential. The land use designation “Regional Commercial” is too intense for its location in the middle of a single-family residential neighborhood. The

Kelly/South San P.U.E.B.L.O. Community Plan states the “Regional Commercial” land use designation include high intensity commercial or automobile related uses that draw their customer base from a larger region, thus bringing more traffic and parking needs. This type of land use is not appropriate for its location within a neighborhood.

**6. Size of Tract:**

The 0.96 acre site is of sufficient size to accommodate the proposed development. There is a construction contractor facility directly to the east of the subject property. The proposed development is an extension of the already existing contractor facility.

**7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may under the right set of circumstances and conditions be acceptable in certain specific locations.