



# City of San Antonio

## Agenda Memorandum

**File Number:**18-4155

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**Agenda Item Number:** 5.

**Agenda Date:** 7/3/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018214 CD

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Outside Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 3, 2018. This case is continued from the June 19, 2018 Zoning hearing.

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Amie & Johnathan Olivarez

**Applicant:** Amie Olivarez

**Representative:** Evelyn Cabrera

**Location:** 1343 and 1347 South General McMullen

**Legal Description:** Lot 6, Lot 7, Lot 8 and Lot 9, Block 33, NCB 8071

**Total Acreage:** 0.3027

**Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** Westwood Square Neighborhood Association  
**Applicable Agencies:** Lackland Air Force Base

### **Property Details**

**Property History:** The subject property was rezoned from “I-1” General Industrial District to “C-2NA” Commercial District, Nonalcoholic Sales and from “I-1” General Industrial to “R-6” Residential Single-Family District by Ordinance 2009-03-19-0230, dated March 19, 2009.

**Topography:** A very small portion of the property is located within the 100-year flood plain.

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

**Direction:** North

**Current Base Zoning:** “C-2NA” & “MF-33 CD”

**Current Land Uses:** Rosita’s Café and Parking Lot

**Direction:** East

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Used Auto Sales

**Direction:** South

**Current Base Zoning:** “R-6” & “MF-33”

**Current Land Uses:** Vacant and Single-Family Residences

**Direction:** West

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Single-Family Residences and Apartments

### **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

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 66, 268, 524

**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 number of parking spaces for stone monument retail and wholesale is 1 space per 600 sf GFA.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “R-6” and “C-2NA”. “R-6” allows for uses such as single-family dwelling (detached) with a

minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools. “C-2NA” allows for uses such as miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The property is located within half a mile of 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 Sector Plan and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “C-2 NA” base zoning is compatible with the future land use designation and is consistent with the surrounding properties.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family District and “C-2NA” Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. Additionally, the “CD” allows further commendation and regulation of the proposed use.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the West/Southwest Sector Plan.

West/Southwest Sector Plan Relevant Goals and Objectives:

- ED-1.3 Stimulate and support increased activity of existing businesses
- ED-3.1 Ensure the development of new business locations and employment centers are compatible with the West/Southwest Sector Land Use Plan.

**6. Size of Tract:**

The subject property is 0.3027, which would adequately support a commercial development.

**7. Other Factors:**

The purpose of the Conditional Use 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.

The applicant is seeking a conditional use to allow for outdoor display/storage of stone monuments (i.e. headstones).