



# City of San Antonio

## Agenda Memorandum

**File Number:**18-4324

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**Agenda Item Number:** Z-29.

**Agenda Date:** 8/2/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018200

(Associated Plan Amendment 18060)

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 5, 2018

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** David Martinez

**Applicant:** David Martinez

**Representative:** David Martinez

**Location:** 2537 West Southcross Boulevard

**Legal Description:** Lot 15 and Lot 16, Block 10, NCB 8906

**Total Acreage:** 0.1607

**Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Quintana Community

**Applicable Agencies:** Lackland

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1944 and was zoned “L” First Manufacturing District by Ordinance 1259. A 1977 case, Ordinance 47762, rezoned the property to “B-2” Business District. Upon the adoption of the Unified Development Code, the previous “B-2” converted to the current “C-2” Commercial District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

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

**Direction:** North

**Current Base Zoning:** R-6, MF-33

**Current Land Uses:** Single-Family Residences, Duplex, Quadplex

**Direction:** East

**Current Base Zoning:** C-3

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

**Direction:** South

**Current Base Zoning:** C-3, RM-4

**Current Land Uses:** Single-Family Residences, Gas Station, Restaurant, Parking Lot,

**Direction:** West

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

**Current Land Uses:** Adult Daycare, Family Dollar, GZ Auto Repair

**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:** West Southcross Boulevard

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Creighton Avenue

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA route 515 is directly caddy corner to 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:** Minimum Vehicle Spaces- 1 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. “C-2” Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, 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. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center, but is within the General McMullen-Babcock Premium Transit Corridor.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (8-0) recommend Approval.

**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 Kelly/South San PUELO Community Plan, and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “R-6” Residential Single-Family District is not consistent with the future land use designation. The applicant has requested a Plan Amendment to change the future land use from “Neighborhood Commercial” to “Low Density Residential”. Staff and Planning Commission recommend Approval.

**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 is requesting the zone change, because the bank will not refinance the property with the current legal nonconforming use. Both “C-2” and “R-6” are appropriate for the subject properties location. The entire block is currently zoned commercial, and has the “Neighborhood Commercial” designation, although all but one property (located at the northeast intersection of West Southcross Boulevard and Creighton Avenue) have residential uses. The structure has been renovated, and allowing the change to “R-6” will align the use to the appropriate zoning district.

**3. Suitability as Presently Zoned:**

The current “R-6” base zoning district is appropriate for the subject property’s location, and the adjacent residential uses.

**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 0.1607 acres in size, which reasonably accommodates the uses permitted in “R-6”

Residential Single-Family District.

**7. Other Factors:**

None.