City of San Antonio

Agenda Memorandum

File Number: 19-1925

Agenda Item Number: Z-10.

Agenda Date: 3/7/2019

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 7

SUBJECT:
Zoning Case Z-2018-900082 CD

SUMMARY:
Current Zoning: "C-3 NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Party House, Reception Hall or Meeting Facility

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: February 5, 2019

Case Manager: Patricia Franco, Planner

Property Owner: Mainstreet Properties, Hillcrest, LLC

Applicant: Ann Elizabeth Munoz

Representative: Ann Elizabeth Munoz

Location: 2823 Hillcrest Drive

Legal Description: 3.430 out of NCB 11780

Total Acreage: 3.430

Notices Mailed
Owners of Property within 200 feet: 23
Registered Neighborhood Associations within 200 feet: Hillcrest Neighborhood
Applicable Agencies: None

Property Details

Property History: The subject property was annexed on June 30, 1955 and zoned "F" Local Retail District. Property was rezoned to "B-3NA" Business Nonalcoholic Sales District by Ordinance 78031, dated May 27, 1993. The property converted from"B-3NA" base district to the current "C-3NA" General Commercial Nonalcoholic Sales District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

Topography: The subject property is not located within the 100-year flood plain.

Adjacent Base Zoning and Land Uses
Direction: North
Current Base Zoning: "R-5" and "MF-33"
Current Land Uses: Single Family Residential and Multi-family

Direction: East
Current Base Zoning: Out of City Limits
Current Land Uses: Out of City Limits (Single Family Residences)

Direction: South
Current Base Zoning: "C-2"
Current Land Uses: Commercial

Direction: West
Current Base Zoning: "MF-33" and "R-5"
Current Land Uses: Multi-family and Public Elementary School

Overlay and Special District Information:
"AHOD"
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: Hillcrest Drive
Existing Character: Secondary Arterial
Proposed Changes: None known
Public Transit: The nearest VIA bus line is the 524 and 522. The 524 stops at the intersection of Hillcrest and Shadyview; the 522, at the intersection of Babcock and Glenview.

ISSUE:
None.

ALTERNATIVES:
Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-3 NA AHOD". C-3 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. "C-2" districts accommodate commercial and retail uses that are less intensive in character than "C-3" uses, and which generate less volume of vehicular traffic and/or truck traffic.

FISCAL IMPACT:
None.

Proximity to Regional Center/Premium Transit Corridor
The property is located within half a mile of a Premium Transit Corridor

RECOMMENDATION:
Staff Analysis & Recommendation: Staff and Zoning Commission (10-0) recommend 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 Near Northwest Community Plan and is currently designated as "Community Commercial" 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.

3. Suitability as Presently Zoned:
The existing "C-3" base zoning district is appropriate for the surrounding area. The existing "C-3" is a more intense zoning base district. The proposed "C-2 CD" provides for commercial uses but allows the use to be conditioned down for a Party House, Reception Hall or Meeting Facility.

4. Health, Safety and Welfare:
Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The proposed "CD" allows for the proposed use to be considered, while allowing for particular conditions if necessary, such as hours of operation and buffering/screening.

5. Public Policy:
The request does not appear to conflict with any public policy objective. The request is consistent with the Near Northwest Community Plan.

Relevant Goals and Objectives of the Near Northwest Community Plan:

- Objective 2.2: Business Development- Create opportunities for new business development to ensure a diversity of attractive businesses in pedestrian friendly environments.

6. Size of Tract:
The 3.430 acre site is of sufficient size to accommodate the proposed development of a Party House, Reception Hall or Meeting Facility and other commercial uses.

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.