



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6321

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**Agenda Item Number:** Z-3.

**Agenda Date:** 11/5/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2020-10700191 S

**SUMMARY:**

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

**Requested Zoning:** "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Bingo Parlor

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 1, 2020

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** West Plaza Cresthaven LLC

**Applicant:** Carla Villarreal

**Representative:** Lori Rose-Alvarez

**Location:** Generally located at 3625 West Avenue

**Legal Description:** Lot 1, Block 32, NCB 9754

**Total Acreage:** 0.33

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Jefferson Neighborhood Association and Keystone Neighborhood Association

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The property was a part of the original 36 square miles of the City of San Antonio and was originally zoned "F" Local Retail District. The subject property was then rezoned from "F" Local Retail District to "B-2" Business District by Ordinance 65,031 dated May 14, 1987. The subject property converted from "B-2" Business District to "C-2" Commercial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-2P"

**Current Land Uses:** Bar

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** "C-3"

**Current Land Uses:** Grocery Store

**Direction:** West

**Current Base Zoning:** "R-4"

**Current Land Uses:** Residential

**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:** West Avenue

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None

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

**Routes Serviced:** 97 and 296

**Traffic Impact:** A Traffic Impact Analysis (TIA) analysis is not required.

**Parking Information:** The parking requirement for an Bingo Parlor is 1 parking space per 1,000 square feet of gross floor area.

**ISSUE:**

None.

#### **ALTERNATIVES:**

**Current:** The present zoning designation of “C-2” Commercial District 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.

**Proposed:** The present zoning designation of “C-2” Commercial District 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.

The “S” Specific Use Authorization will allow all “C-2” uses in addition to a Bingo Parlor.

#### **FISCAL IMPACT:**

None.

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

The property is not within a Regional Center and is not within a premium transit corridor.

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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 Greater Dellview Area Community Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The base zoning of “C-2” will remain the same.

##### **3. Suitability as Presently Zoned:**

The current “C-2” Commercial District is appropriate zoning for the property and surrounding area. The proposed “C-2 S” maintains the base “C-2” district and the Specific Use Authorization allows for consideration of a Bingo Parlor. The Specific Use Authorization allows the one use in addition to all uses allowed by right in “C-2”. Additionally, the Specific Use Authorization holds the applicant to the submitted site plan and also allows for consideration of Conditions where appropriate such as: restricted temporary signage and/or hours of operation, fencing, landscape buffers and other similar restrictions.

##### **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 Greater Dellview Area Community Plan:

Goal 2: Neighborhood Commercial Revitalization: Promote the growth and development of local businesses and create attractive and viable commercial environments that draw new customers and diverse businesses

- Objective 2.1: Commercial Corridors Assessment Develop data to inform the economic development process and prioritize critical needs
- Objective 2.2: Neighborhood Commercial Revitalization (NCR) Program Application Work to improve the quality and viability of business ventures along the community's commercial corridors through a Partnership Project with the City of San Antonio's NCR Program 15
- Objective 2.3: Corridor Plan for Vance Jackson Implement the agreement between Granados Development and the Dellview Area Neighborhood Association for a Vance Jackson Corridor Plan
- Objective 2.4: Small Business Development Foster an environment that promotes, encourages and supports small business development

Goal 3: Commercial Development: Type, Form and Appearance: Proactively promote best urban planning practices and ensure commercial environments that are clean, safe, attractive, compliant with city codes, and respectful of adjacent neighborhood residential uses

- Objective 3.1: New Development Address new and proposed developments by engaging developers from the onset of proposed projects
- Objective 3.2: Reuse and Retrofit Promote and facilitate the revitalization of existing commercial strip centers and sites in the planning area
- Objective 3.3: Code Compliance Promote and facilitate a clean and orderly business environment that is respectful of the law and adjacent neighborhoods

## **6. Size of Tract:**

The subject property is 0.33acres, which could reasonably accommodate the proposed Bingo Parlor.

## **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 with may, under the right set of circumstances and conditions be acceptable in certain specific locations.