



# City of San Antonio

## Agenda Memorandum

**File Number:**21-5109

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**Agenda Item Number:** 15.

**Agenda Date:** 8/3/2021

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:** Zoning Case Z2021-10700164

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 3, 2021

**Case Manager:** Lorianne Thennes, Senior Planner

**Property Owner:** Emmanuel Gustavo and Damaso Garza

**Applicant:** Damaso Garza

**Representative:** Damaso Garza

**Location:** 1607 West Hermosa Drive

**Legal Description:** Lot 12, Block 119, NCB 8849

**Total Acreage:** 0.1377 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Texas Department of Transportation, Parks Department

**Property Details**

**Property History:** The subject property was annexed into the city by Ordinance 1845, dated May 5, 1940 and was originally zoned “B” Residence District. The previous “B” district converted to “R-4” Residential Single-Family District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was then rezoned to “C-2NA” by Ordinance 2015-04-02-0247, dated April 2, 2015.

**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:** “R-4”

**Current Land Uses:** Park, single-family homes, duplexes

**Direction:** East

**Current Base Zoning:** “R-4”

**Current Land Uses:** Single-family homes, duplexes

**Direction:** South

**Current Base Zoning:** “R-4” and “UZROW”

**Current Land Uses:** Interstate, vacant land

**Direction:** West

**Current Base Zoning:** “UZROW”

**Current Land Uses:** Historic landmark park and Interstate 10

**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 Hermosa Drive

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There is one VIA bus route within walking distance of the subject property.

**Routes:** 651

**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 parking requirement for most retail and commercial is 1 space per 300 square feet of gross floor area.

**ISSUE:** None.

**ALTERNATIVES:**

**Current:** The current “C-2NA” Commercial Nonalcoholic Sales District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. District regulations within the "C-2NA" districts are the same as in "C-2" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

**Proposed:** The proposed “C-2” Commercial District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

**FISCAL IMPACT:** None.

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

The property is not within a regional center or a 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 Greater Dellview Area Community Plan and is currently designated as “Community Commercial.” The requested “C-2” 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.

**3. Suitability as Presently Zoned:**

The current “C-2NA” Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. However, the proposed “C-2” Commercial District maintains the base district and eliminates the “NA” Nonalcoholic Sales overlay which would allow for alcohol sales and is appropriate on the corner of the block and along Interstate 10.

**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- Promote the growth and development of local businesses and create attractive and viable commercial environments that draw new customers and diverse businesses.

Goal 3- 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.

Goal 4- Empower local human resources and create mutual growth between the community's citizens and its commercial sector.

**6. Size of Tract:**

The subject property is 0.1377 acres, which could reasonably accommodate retail and commercial uses.

**7. Other Factors:**

The property is currently being operated as a snack stand.