



# City of San Antonio

## Agenda Memorandum

**File Number:**15-2223

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**Agenda Item Number:** 15.

**Agenda Date:** 4/7/2015

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2015127 CD

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Oversize Vehicle Storage.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 7, 2015

**Case Manager:** Logan Sparrow, Planner

**Property Owner:** Mary Jane Banks

**Applicant:** Jason Banks

**Representative:** Jason Banks

**Location:** 6991 San Pedro

**Legal Description:** Lot 38, Block 1, NCB 11711

**Total Acreage:** 0.2200

**Notices Mailed**

**Owners of Property within 200 feet:** 9

**Registered Neighborhood Associations within 200 feet:** Shearer Hills/Ridgeview Neighborhood Association

**Planning Team:** North Central Planning Team - 46

**Applicable Agencies:** Northeast ISD

**Property Details**

**Property History:** The property is currently zoned “C-2 AHOD” Commercial Airport Hazard Overlay District. The owner of the property has been parking the large delivery trucks on-site for several years under a rental agreement. Recently, the lot was purchased. They are seeking the rezoning to allow for the parking of the oversized vehicles.

**Topography:** None.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C-2” Commercial

**Current Land Uses:** Tree/Plant Nursery

**Direction:** East

**Current Base Zoning:** “C-2 NA CD” Commercial Non-Alcoholic Sales with Conditional Use Authorization for Automobile Repair

**Current Land Uses:** Auto Repair Shop

**Direction:** South

**Current Base Zoning:** “C-2” Commercial

**Current Land Uses:** Restaurant

**Direction:** West

**Current Base Zoning:** “C-2” Commercial

**Current Land Uses:** Nursery Storage

**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:** San Pedro Avenue

**Existing Character:** Primary Arterial A. Three lanes in each direction with turn lane and sidewalks.

**Proposed Changes:** None known.

**Public Transit:** VIA bus routes 4 operates along San Pedro Avenue east of 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.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested rezoning would result in the subject property retaining its current “C-2” Commercial zoning.

**FISCAL IMPACT:**

None.

**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 North Central Community Plan and is currently designated as Community Commercial in the land use component of the plan. The requested “C-2 CD” Commercial with a Conditional Use for Oversized Vehicle Storage is consistent with the adopted land use designation.

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

Staff has not found any 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-2” Commercial base zoning district is appropriate for the surrounding area, though it does not permit the use requested on the subject property.

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

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

**5. Public Policy:**

The request does not appear to conflict with public policy, including the North Central Future Land Use Plan.

**6. Size of Tract:**

The 0.2200 acre site is of sufficient size for the proposed use.

**7. Other Factors:**

The property falls under the limitation of several deed restrictions that the owner of the property would need to resolve with other parties associated with that contract. The city of San Antonio does not enforce deed restrictions.

The Conditional Use zoning procedure is designed to provide for a land use within an area that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. The granting of conditional zoning shall only be for the conditional use names in the ordinance approving the Conditional Use zoning district provisions.