



# City of San Antonio

## Agenda Memorandum

**File Number:**15-2804

---

**Agenda Item Number:** 9.

**Agenda Date:** 5/5/2015

**In Control:** Zoning Commission

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2015165

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 5, 2015

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** John R. Dury (President and General Partner of Dury Brothers Partners, Ltd.)

**Applicant:** John R. Dury (President and General Partner of Dury Brothers Partners, Ltd.)

**Representative:** Brown & Ortiz, PC (c/o James McKnight)

**Location:** 870 Hot Wells Boulevard

**Legal Description:** Portion of Lots 16, 17, 20 and 21, Block 6, NCB 10938

**Total Acreage:** 1.824

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Highlands Hill Neighborhood Association

**Planning Team:** Highlands Planning Team-33

**Applicable Agencies:** San Antonio Aviation Department

### **Property Details**

**Property History:** The property was annexed in 1952 and was originally zoned “B” Residence District. Upon adoption of the 1965 zoning districts the base zoning converted to “R-7.” Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “R-4.” The property is currently undeveloped and vacant.

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

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

**Direction:** North

**Current Base Zoning:** R-4, C-1

**Current Land Uses:** Childcare Centers, Single-Family Residences

**Direction:** East

**Current Base Zoning:** R-4

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

**Direction:** South

**Current Base Zoning:** NA

**Current Land Uses:** Interstate Highway 37 South

**Direction:** West

**Current Base Zoning:** C-3 NA S

**Current Land Uses:** Vacant Commercial

**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:** Hot Wells Boulevard

**Existing Character:** Secondary Arterial Type B; two lanes in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Interstate Highway 37 South

**Existing Character:** Freeway; five lanes in each direction

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is route 35-S. South Mary’s, which operates along Goliad, with a stop at Hot Wells Boulevard.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Parking requirements are determined by use and often, by the size of the development; therefore, staff cannot calculate parking requirements for the subject property. However, the property as a whole is of sufficient size to accommodate commercial uses and parking.

**ISSUE:**

None.

**ALTERNATIVES:**

The existing residential zoning district does not typically allow retail or service uses which are well-suited for properties in close proximity to highways; therefore, denial of the zoning change request will likely lead to long-term commercial and residential vacancies.

**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 Highlands Community Plan and is designated as “Regional Commercial” in the future land use component of the plan. The requested “C-2” zoning is consistent with the adopted land use plan.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The existing “R-4” zoning district is not consistent the future land use designation of Regional Commercial. The proposed zoning request of “C-2” is consistent with the surrounding properties and the Regional Commercial component of the Highlands Community Plan.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to this request.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is 1.824 acres and is of sufficient size to accommodate the proposed retail uses as well as required parking.

**7. Other Factors:**

None.