



# City of San Antonio

## Agenda Memorandum

**File Number:**15-5805

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**Agenda Item Number:** 12.

**Agenda Date:** 11/17/2015

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:** Zoning Case Z2016015S

**SUMMARY:**

**Current Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 17, 2015

**Case Manager:** Shepard Beamon, Planner

**Property Owner:** Episcopal Church Corporation in West Texas (Kirk B. Mason, Assistant Treasurer)

**Applicant:** Birnbaum Property Company (Gregory Mann, Governing Person)

**Representative:** Kaufman & Killen, Inc. (Ashley Farrimond)

**Location:** 3726 and 3728 South New Braunfels Avenue

**Legal Description:** 0.773 acres of land out of NCB 7589 and NCB 7587

**Total Acreage:** 0.773

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Highland Hills

**Planning Team:** Highland Hills Community Plan

**Applicable Agencies:** None.

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on August 3, 1944 (Ordinance # 1256). According to available records, the property was originally zoned “D” Apartment District based on the 1938 zoning districts. Upon the adoption of the 2001 Unified Development Code, “D” base zoning has been converted to “MF-33” Multi-Family Residential District.

**Topography:** None.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-2, C-3

**Current Land Uses:** Bank, Vacant Lot, Paved Parking, Commercial Strip

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Vacant Lot, H-E-B, Commercial Strip

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Commercial Strip

**Direction:** West

**Current Base Zoning:** R-5

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

**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:** South New Braunfels Avenue

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** Ada Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** VIA Bus Routes 20, 34, and 515 stop in front of the subject property.

**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:**

Auto - Carwash. Minimum Vehicle Spaces: 1 per 500 sf GFA including service bays, wash tunnels, and retail areas. Maximum Vehicle Spaces: 1 per 375 sf GFA including service bays, wash tunnels, and retail areas.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present “MF-33” zoning district designation.

**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 property is located within the Highlands Community Plan and is designated as Mixed Use. Both the proposed and existing base zoning districts are consistent with the adopted land use designation.

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

Staff has found no evidence of likely adverse impacts on surrounding properties in relation to this zoning request.

**3. Suitability as Presently Zoned:**

The existing “MF-33” zoning district is not appropriate for the subject property and surrounding areas, as the surrounding environment primarily consist of Commercial zoning. The subject property is adjacent to other Commercial zoning north, east, and south, and has accessibility from South New Braunfels Avenue, a major thoroughfare, making “C-2” a better suited zoning for the property. The requested “C-2” will allow the applicant to develop a carwash, which is compatible with the surrounding neighborhood.

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

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

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The zoning request fulfills the goals and strategies of the Highlands Community Plan, by improving the current variety of goods, services and employment available within the community by creating an environment conducive to commercial prosperity and encouraging new businesses to locate in the area.

**6. Size of Tract:**

The subject property is 0.773 acres in size, which accommodates the proposed development for a variety store.

**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.