



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 15, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2022-10700171 CD  
(Associated Zoning Case Z-2022-11600064)

**SUMMARY:**

**Current Zoning:** "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Construction Trades Contractor

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 16, 2022. This case is continued from the August 2, 2022 hearing.

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** Jose Corchado

**Applicant:** Jose Corchado

**Representative:** Jose Corchado

**Location:** 232 Sherwood Drive

**Legal Description:** Lot 13, Block 2, NCB 8417

**Total Acreage:** .9475 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Los Angeles Heights NA

**Applicable Agencies:** N/A

**Property Details**

**Property History:**

The subject property is currently zoned "R-5 CD" Residential Single-Family with a Conditional Use for a Professional Office. The property was annexed into the City of San Antonio by Ordinance 1845 dated May 5, 1940, and originally zoned "A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District converted to "R-5" Residential Single-Family District. The property was rezoned by Ordinance 2014-04-19-0307, dated April 19, 2014, to the current "R-5 CD" Residential Single-Family with a Conditional Use for a Professional Office.

**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-2"

**Current Land Uses:** Law Offices, Car Dealer

**Direction:** South

**Current Base Zoning:** "R-5"

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** "R-5"

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** "C-2NA", "O-2", "R-5"

**Current Land Uses:** HVAC Contractor, Cultural Center, Residential Dwelling

**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:** N/A.

**Transportation**

**Thoroughfare:** Sherwood Drive

**Existing Character:** Local

**Proposed Changes:** None Known.

**Public Transit:** There are Via bus routes within a ½ mile of the subject property.

**Routes Served:** 96, 97, 296, 505

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for a construction contractor facility is 1 parking space per 1,500 square feet of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-5” Residential Single-Family district allows dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The “CD” Conditional Use permits a Professional Office on the property.

Proposed Zoning: “C-2” Commercial districts 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 “CD” Conditional Use would permit a construction trades contractor.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission recommends Approval, with conditions.

The recommended conditions are as follows:

1. Hours of operation Monday-Friday 8:00am-6:00pm, and Saturday from 9:00am to 3:00pm.
2. No temporary signage, wind-wavers, pennants, snipe or bandit signs.
3. No outside storage.
4. Downward facing lighting.
5. An eight (8) foot solid screen fence abutting residential zoning and/or uses.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

1. **Consistency:** The subject property is located within the Near Northwest Community Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “C-2 CD” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Community Commercial”. Staff recommends Denial. The Planning Commission recommends Approval.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established residential development pattern of the surrounding area. While the properties to the north of the subject property have commercial zoning designations, they are accessed and addressed off of the Interstate 10 access road and serve as a buffer between the highway and the residential properties in the southern block where the subject property is located.
3. **Suitability as Presently Zoned:** The current “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for a Construction Trades Contractor is not appropriate. The proposed rezoning constitutes further commercial encroachment into a residential neighborhood. While there are commercial land uses and zoning designations in immediate proximity to the property, one is developed as a Cultural Center and the other is a landscape company located to the far east of the block and both have the appearance of single-family homes. Additionally, the proposed Conditional Use for a Construction Contractor Facility is a use typically allowed by right in the “C-3” General Commercial District.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. A Construction Contractor Facility can generate heavy truck traffic, noise and construction related equipment and activities to a residential area.
5. **Public Policy:** The request does not appear to conflict with any public policy objectives of the West/Southwest Sector Plan:
  - Goal 2 - Economic Development Ensure the Near NW Community’s business corridors are filled with a mix of uses including professional offices, residences and busy shops, providing neighbors an attractive place to walk for shopping, playing, working and relaxing both day and night.

- o Objective 2.1: Deco District Continue to develop the Deco District as pedestrian friendly business corridor offering a mix of businesses and residences to meet the community's needs.
  - Goal 3 - Housing Preserve and revitalize the community's unique mix of quality housing.
    - o Objective 3.3: Design Standards Protect and preserve the Near Northwest's unique housing character.
6. **Size of Tract:** The subject property is 0.9475 acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors:** The applicant is requesting "C-2 CD" Commercial with a Conditional Use for Construction Trades Contractor for construction trade offices and to construct a contractor storage garage to the rear the property, that will be used as a storage structure for HVAC supplies and equipment. The applicant also owns the property to the west of the subject site zoned "O-2" High Rise Office where he operates his business, Beluga Air.

The purpose of the Conditional Use 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 may, under the right set of circumstances and conditions be acceptable in certain specific locations.