



City of San Antonio

Agenda Memorandum

Agenda Date: December 16, 2021

In Control: City Council Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2021-10700164

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: November 16, 2021. Continued from November 2, 2021.

Case Manager: Catherine Hernandez, DSD Administrator

Property Owner: Emmanuel Gustavo and Damaso Garza

Applicant: Damaso Garza

Representative: Damaso Garza

Location: 1603 and 1607 West Hermosa Drive

Legal Description: Lot 11 and Lot 12, Block 119, NCB 8849

Total Acreage: 0.2754 acres

Notices Mailed

Owners of Property within 200 feet: 26

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 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:

None

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.
Route Served: 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 Zoning: C-2NA districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: C-2 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.

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 and Zoning Commission recommend Approval.

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 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 which would allow for alcohol sales is a more appropriate zoning district 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 0.2754 acres, which could reasonably accommodate retail and commercial uses.
7. **Other Factors** The property is currently being operated as a snack stand.