



City of San Antonio

Agenda Memorandum

Agenda Date: May 19, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:

Zoning Case Z-2022-10700076
(Associated Plan Amendment PA-2022-11600024)

SUMMARY:

Current Zoning: "O-1 AHOD" Office Airport Hazard Overlay District

Requested Zoning: "C-2NA NR AHOD" Commercial Nonalcoholic Sales Noise Restricted Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 19, 2022

Case Manager: Despina Matzakos, Planner

Property Owner: BCBW Holdings LLC

Applicant: Jerry Arredondo

Representative: Jerry Arredondo

Location: 7978 Broadway

Legal Description: Lot 101, NCB 11889

Total Acreage: 0.3810 acres

Notices Mailed

Owners of Property within 200 feet: 84

Registered Neighborhood Associations within 200 feet: Oak Park – Northwood Neighborhood Association

Applicable Agencies: Aviation

Property Details

Property History: The property was annexed into the City of San Antonio on September 24, 1952 by Ordinance 18115 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 under Ordinance 2018-10-04-0802, dated October 4, 2018 from “R-5” Residential Single-Family District to the current “O-1” Office District.

Topography: The subject property is located within the Aquifer Artesian Zone and Upper SAR Watershed.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: C-2, O-2

Current Land Uses: Salon & Spa

Direction: South

Current Base Zoning: C-1

Current Land Uses: Salon, Offices

Direction: East

Current Base Zoning: R-5

Current Land Uses: Single-Family Homes

Direction: West

Current Base Zoning: C-2

Current Land Uses: Restaurant Uses

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: Broadway Street

Existing Character: Secondary Arterial B

Proposed Changes: None known

Thoroughfare: East Sunset Road
Existing Character: Minor
Proposed Changes: None known

Public Transit: There are three (3) VIA bus routes within proximity to the subject property.
Routes Served: 647, 9, 209

ISSUE: None.

ALTERNATIVES:

Current Zoning: "O-1" Office Districts contain small and medium office uses, banks, worship facilities, public and private school, employment agency, library, medical clinic, optician, interior decorator studio. Maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited.

Proposed Zoning: "C-2NA" Commercial Non-Alcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Greater Airport Area and is located within proximity to a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate Recommendation of "C-1" Light Commercial District. Zoning Commission recommends Approval, as amended to "C-2NA NR".

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 Northeast Inner Loop Plan and is currently designated as "Neighborhood Commercial" in the future land use component of the plan. The requested "C-2NA" Commercial Non-Alcoholic Sales 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, with an Alternate Recommendation.
- 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 consistent with the established development pattern along Broadway however it is not consistent with the established development pattern along Sunset Boulevard. Surrounding properties are primarily "C-1" Light Commercial, "C-2" Commercial, and "R-5" Residential Single-Family Districts. Given the site's proximity to single-family residential housing, the requested "C-2NA"

Commercial Non-Alcoholic Sales zoning would not be appropriate. Rather, a lower level commercial designation of "C-1" Light Commercial would be suitable. Such a designation would permit light commercial uses that could support the adjacent residential uses, whereas a higher-intensity commercial designation would allow for uses that could potentially hinder the existing residential community on Sunset.

3. **Suitability as Presently Zoned:** The existing "O-1" Office District is an appropriate zoning for the property and surrounding area. The proposed "C-2NA" Commercial Non-Alcoholic Sales District is not an appropriate zoning for the property and surrounding area.
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 request does and does not appear to conflict with any public policy objectives.
Relevant Goals and Policies of the Northeast Inner Loop Plan may include:
Goal 1: Housing and Neighborhood Character
 - Enhance and preserve the housing and distinctive character of the Northeast Inner Loop neighborhoods.Goal 2: Economic and Physical Redevelopment of Austin Highway
 - Modify Austin Highway to become a more urban, pedestrian and transit-friendly boulevard with a "town center" that is connected to the surrounding neighborhoods and has activities to attract neighborhood residents as well as visitors and people from around the city.Objective 2.3: Business Development
 - Attract new, neighborhood-friendly businesses and infill development that will meet the resident's daily needs and bring new vitality to the neighborhoods' commercial centers.
6. **Size of Tract:** The 0.3810-acre site is of sufficient size to accommodate the proposed Commercial uses and development.
7. **Other Factors** The applicant intends to utilize the existing structure for higher intensity Commercial uses.