



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-2780

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 5/5/2020

**Title:** (POSTPONED) ZONING CASE Z-2020-10700031 S (Council District 3): A request for a change in zoning from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional use for Auto and Light Truck Repair to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for Auto Paint and Body on P-15, P-16, and P-17, NCB 11166, located at 9931 Roosevelt Avenue and 9915 Roosevelt Avenue. Staff recommends Denial. (Mercedes Rivas, Senior Planner, (210) 207-0215, Mercedes.Rivas2@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan

| Date | Ver. | Action By | Action | Result |
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2020-10700031 S

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional use for Auto and Light Truck Repair

**Requested Zoning:** "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for Auto Paint and Body

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 5, 2020

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Santiago Sandoval

**Applicant:** Juan Rodriguez

**Representative:** Juan Rodriguez

**Location:** 9931 Roosevelt Avenue and 9915 Roosevelt Avenue

**Legal Description:** P-15, P-16, and P-17, NCB 11166

**Total Acreage:** 0.679

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Lackland Airforce Base

**Property Details**

**Property History:** The property was annexed in 1988 by Ordinance 68292 and was originally zoned Temporary "R-1" Single Family Residence District. The property was rezoned to "R-A" Residence Agriculture District and "B-3NA" Business Non-Alcoholic Sales District by Ordinance 69286 dated April 13, 1989. The previous zoning district converted to "NP-10" Residential Single-Family District and "C-3NA" General Commercial Non-Alcoholic Sales District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, and dated May, 03, 2001. In a 2003 City-initiated large-area zoning case, the subject property was rezoned to "UD" Urban Development District. On August 7, 2014 the property was rezoned from "UD" to "C-2" by 2014-08-07-0557."C-2" Commercial District The property was zoned from "C-2" to "C-2" Commercial District and "C-2 CD" Commercial District with Conditional Use for Auto and Light Truck Repair by Ordinance 2014-11-06-0880 on November 6, 2014.

**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-6" and "C-3NA"

**Current Land Uses:** Restaurant and Hotel

**Direction:** East

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

**Current Land Uses:** Restaurants

**Direction:** South

**Current Base Zoning:** "MF-40" and "C-2 CD"

**Current Land Uses:** Auto Repair

**Direction:** West

**Current Base Zoning:** "MF-40"

**Current Land Uses:** Natural

**Overlay and Special District Information:**

"AHOD"

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.

**Thoroughfare:** Roosevelt

**Existing Character:** Super Arterial B

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 42

**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 parking minimum for Motor Vehicle Sales (Full Service) is 1 parking space per 500 sf GFA including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay. The parking minimum for Auto Paint and Body is 1 parking space per 500 sf GFA including service bays, wash tunnels and retail areas

**ISSUE:**

The requested "C-3" base zoning district is not consistent with the future land use designation. Further, there is already a saturation of Motor Vehicle Sales (Full Service) and Auto Paint and Body along the Roosevelt corridor.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district of "C-2" Commercial District and "C-2 CD" with a Conditional Use for Auto and Light Truck Repair.

**Current:** "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

**Proposed:** "C-3" General Commercial districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

The addition of the "S" will allow for Auto Paint and Body.

**FISCAL IMPACT:**

None.

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

The property is located not located within a regional center and nor is it within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 Heritage South Sector Plan and is currently designated as “Mixed Use Center” in the future land use component of the plan. The requested “C-3” base zoning district is not consistent with the future land use designation. The applicant is pending submittal of a Plan Amendment.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The existing “C-2” Commercial District is consistent and compatible with existing and surrounding zoning and uses. The proposed “C-3” is too intense for the area. Additionally, as a basic planning principle “C-3” uses are not intended to abut “R-6” Residential Single-Family zoning and/or uses which exist to the northwest of the subject properties.

**3. Suitability as Presently Zoned:**

The current "C-2" Commercial District and "C-2 CD" with a Conditional use for Auto and Light Truck Repair is appropriate for the property and surrounding area. The requested “C-3” base zoning district is not consistent and would allow intense general commercial uses. There is some “C-3NA” to the north but it is limited by the “NA” and more “C-3” should not be perpetuated in the area. The area is better served by “C-2” zoning and land uses.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning appears to conflict with the following goals, principles, and objectives of the Heritage South Sector Plan:

**Plan Goals:**

- Goal ED-1 Advance goals of Mission Verde relative to “green” jobs and industries
  - ED-1.1 Encourage workforce development of “green skills”
  - ED-1.2 Provide incentives and develop a marketing plan to attract “green” jobs/industries to the plan area

**6. Size of Tract:**

The subject property is 0.679 acres, which could reasonably accommodate commercial uses and Auto Paint and Body.

**7. Other Factors:**

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

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.