



City of San Antonio

Legislation Details (With Text)

File #: 18-1776

Type: Zoning Case

In control: Zoning Commission

On agenda: 2/20/2018

Title: ZONING CASE # Z2018079 (Council District 5): A request for a change in zoning from "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 0.8543 acres out of NCB 6777, located at 1102 Cupples Road. Staff recommends Denial, with an Alternate Recommendation. (Associated Plan Amendment 18021)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 5

SUBJECT:

Zoning Case Z2018079
(Associated Plan Amendment 18021)

SUMMARY:

Current Zoning: "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "C-3 AHOD" General Commercial Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 20, 2018

Case Manager: Daniel Hazlett, Planner

Property Owner: Jose Luis Gonzalez

Applicant: Patricia M. Villarreal

Representative: Patricia M. Villarreal

Location: 1102 Cupples Road

Legal Description: 0.8543 acres out of NCB 6777

Total Acreage: 0.8543

Notices Mailed

Owners of Property within 200 feet: 16

Registered Neighborhood Associations within 200 feet: Thompson Neighborhood Association

Applicable Agencies: None.

Property Details

Property History: The property was annexed and zoned "B" Residence District and "F" Local Retail District by Ordinance 1258, dated August 3, 1944. The property was rezoned from "B" to "R-1" Single-Family Residential District by Ordinance 47762, dated March, 17, 1977. The remainder of the property was rezoned from "F" to "B-2NA" Business Nonalcoholic Sales District by Ordinance 63541, dated August 28, 1986. The property converted from "R-1" and "B-2NA" to the presently zoned "R-6" Residential Single-Family District and "C-2NA" Commercial Nonalcoholic District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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", "R-6"

Current Land Uses: Restaurant, Single-Family Residence

Direction: East

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Residences

Direction: South

Current Base Zoning: "C-2NA"

Current Land Uses: Retail Cellular Phone

Direction: West

Current Base Zoning: "C-2", "C-2NA"

Current Land Uses: Family Dollar

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: Cupples Road

Existing Character: Secondary Arterial

Proposed Changes: None Known

Thoroughfare: Kirk Place
Existing Character: Local Street
Proposed Changes: None Known

Thoroughfare: Weir Avenue
Existing Character: Local Street
Proposed Changes: None Known

Public Transit: VIA bus route 62 is within walking distance of the subject property.

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 required for Full Service Auto Sales is 1 parking space per 500 sf GFA of sales and service building.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-2NA”, which permits 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 sale of alcoholic beverages is prohibited.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is located within the Port San Antonio Regional Center. The property is not within a ½ of a mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial with an Alternate Recommendation of “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for Motor Vehicle Sales (Full Service).

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 Kelly/South San PUEBLO Community Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-3” Commercial District is not consistent with the future land use designation. The applicant is requesting a land

use amendment from “Neighborhood Commercial” to “Regional Commercial”. The applicant amended the request to “Community Commercial” and is amending the zoning request to “C-2 NA CD”. Staff and Planning Commission recommend Approval of the amended 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 proposed rezoning to “C-3” General Commercial District would permit intense commercial uses adjacent to single-family residences.

3. Suitability as Presently Zoned:

The current “C-2NA” base zoning is appropriate zoning for the property and surrounding area. The majority of the properties along Cupples Road carry similar base zoning.

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 proposed rezoning does appear to conflict with the following goals, principles, and objectives of the Kelly/South San PUEBLO Community Plan:

- Objective 3.2 - Attractive, Diverse Business - Attract and support a variety of businesses in a walkable, mixed-use environment.
- Objective 1.2.3 - Reduce occurrences of commercial encroachment into residential areas. Encourage mixed-use development where appropriate.
 - Use the future Land Use Plan Map to educate/inform potential commercial developers on the community’s preferred land uses.
 - Advocate for the Land Use Plan at Zoning Commission, Planning Commission, and City Council hearings on rezoning cases.

6. Size of Tract:

The subject property is 0.8453 of an acre, which could reasonably accommodate a small scale Auto and Sales (Full Service) business.

7. Other Factors:

The applicant is amending the request to “C-2 NA CD” for a Conditional Use for Motor Vehicle Sales (Full Service).