



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-2905

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 5/18/2017

**Title:** ZONING CASE # Z2017109 CD (Council District 4): An Ordinance amending the Zoning District Boundary from "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Cabinet Manufacturing and Repair to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Paint and Body Shop on Lot 42, Block 32, NCB 15275, located at 5715 Five Palms Drive. Staff and Zoning Commission recommend Approval with Conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. ZC Minutes, 4. Draft Ordinance.pdf, 5. Ordinance 2017-05-18-0363

Date	Ver.	Action By	Action	Result
5/18/2017	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2017109 CD

**SUMMARY:**

**Current Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Cabinet Manufacturing and Repair

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Paint and Body Shop

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 18, 2017

**Case Manager:** Erica Greene, Planner

**Property Owner:** Nizar Rafati

**Applicant:** Nizar Rafati

**Representative:** Nizar Rafati

**Location:** 5715 Five Palms Drive

**Legal Description:** Lot 42, Block 32, NCB 15275

**Total Acreage:** 0.35

**Notices Mailed**

**Owners of Property within 200 feet:** 13

**Registered Neighborhood Associations within 200 feet:** People Active in Community Effort

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1972 and was previously zoned "Temporary R-1" Single-Family Residence District. A 1978 case, Ordinance #49144 zoned the subject property as "B-2" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2" Commercial District. A 2015 case, Ordinance #2015-03-05-0171 zoned the subject property as "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Cabinet Manufacturing and Repair.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** OCL

**Current Land Uses:** Lackland Air Force Base

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Cell Tower

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Gas Station

**Direction:** East

**Current Base Zoning:** R-6, C-3

**Current Land Uses:** CPS Site, Parking Lot, Shop Building

**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:** Five Palms

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus route is #614 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:** Auto: Auto Paint and Body parking lot requires a minimum of 1 per 500 sf GFA including service bays, wash tunnels and retail areas and a maximum of 1 per 375 sf GFA including service bays, wash tunnels and retail areas

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current district.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval with Conditions

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

**1. Consistency:**

The property is located within the United Southwest Community Plan, and is currently designated as Community Commercial in the future land use component of the plan. The requested “C-2” Commercial base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the subject property’s location. The requested conditional use for auto paint and body (inside) is also appropriate and consistent with surrounding uses and 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 applicant proposes an auto paint & body shop (inside) on the subject property on the subject property. The properties that are located around the subject property include other commercial uses. The rezoning request does not appear to conflict with land use goals and strategies of the United Southwest Community Plan to attract new businesses, services and retail establishments to the United Southwest Communities.

**6. Size of Tract:**

The subject property totals 0.35 acres in size, which should reasonably accommodate the uses permitted in “C-

2” Commercial District.

**7. Other Factors:**

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 which may under the right set of circumstances and conditions be acceptable in certain specific locations.

Should the Conditional Use be approved, staff recommends the following conditions:

1. A six foot solid screen fence is required around the property that abuts residential property and /or land uses.
2. All on-site lighting shall be directed onto the site and point away from any surrounding residential uses.
3. Outdoor amplification speakers are not allowed during the hours of 7 p.m. and 7 a.m.
4. All repairs must remain inside the facility.