



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-2841

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/4/2014

**Title:** ZONING CASE # Z2014271 S (District 3): An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for Machinery, Tools and Construction Equipment Sales and Service allowing a fence up to six (6) feet in height along the front yard in accordance with Section 35-514 (d)(2)(D) of the Unified Development Code on Parcel 77, ABS 2 (6.3299 acres), CB 4010; Parcel 2, ABS 1044 (1.274 acres), CB 4135; Parcel 7F (.6608 acres) and Parcel 7J, ABS 129 (.448 acres), CB 4136 located at 20350 South IH 37. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-271, 2. Z2014271 S, 3. Z2014271 S\_Site Plan, 4. DRAFT ORDINANCE, 5. Ordinance 2014-12-04-0985

Date	Ver.	Action By	Action	Result
12/4/2014	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 3

**SUBJECT:**  
Zoning Case Z2014271 S

**SUMMARY:**  
**Current Zoning:** "C-3" General Commercial District

**Requested Zoning:** "C-3 S" General Commercial District with a Specific Use Authorization for Machinery, Tools and Construction Equipment Sales and Service

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** October 21, 2014

**Case Manager:** Brenda V. Martinez

**Property Owner:** BK Metro Land Company, Ltd. (by Joseph Phillips, President, BK Metro No.3 Inc., General Partner)

**Applicant:** BK Metro Land Company, Ltd. (by Joseph Phillips, President, BK Metro No.3 Inc., General

Partner)

**Representative:** Brown and Ortiz, PC (James Griffin)

**Location:** 20350 South IH 37

**Legal Description:** Parcel 77, ABS 2 (6.3299 acres), CB 4010; Parcel 2, ABS 1044 (1.274 acres), CB 4135; Parcel 7F (.6608 acres) and Parcel 7J, ABS 129 (.448 acres), CB 4136

**Total Acreage:** 8.71

**Notices Mailed**

**Owners of Property within 200 feet:** 7

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

**Planning Team:** Heritage South Sector Plan - 30

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is currently undeveloped and was annexed in 2014. In a subsequent 2014 zoning case, the property was rezoned to “C-3” General Commercial District. The property owner is proposing to construct a utility trailer show area and a sales and service office warehouse.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North and East

**Current Base Zoning:** “C-3”

**Current Land Uses:** Gas Station, Restaurant, Vacant Land, Apartments and a Single-Family Residence

**Direction:** South

**Current Base Zoning:** “I-2”

**Current Land Uses:** Vacant Land

**Overlay and Special District Information:** None

**Transportation**

**Thoroughfare:** South Loop 1604 East

**Existing Character:** Freeway; 1 lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** IH 37 South

**Existing Character:** Freeway; 8 lanes

**Proposed Changes:** None known

**Public Transit:** There is no mass transit service currently available to the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. A traffic engineer must be present at the Zoning Commission hearing.

**Parking Information:** Off-street vehicle parking requirements for Machinery, Tools and Construction Equipment Sales and Service are determined by building size.

Minimum Parking Requirement: 1 space per 500 square feet of Gross Floor Area (GFA) of sales and service building; Maximum Parking Requirement: 1 space per 375 square feet of GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning, restricting future land uses to those permissible in the “C-3” zoning district and prohibiting the proposed specific use authorization for Machinery, Tools and Construction Equipment Sales and Service.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (10-0) recommend approval.

**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 identified as Regional Center in the future land use component of the plan. The “C-3” base zoning district is consistent with the adopted land use designation.

According to the Heritage South Sector Plan, regional centers accommodate the most intense commercial uses and should be located at the intersection of expressways and major arterials.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. Staff finds the proposed use to be appropriate as the property is situated along an arterial thoroughfare, surrounded by other properties of similar use and/or zoning district.

**3. Suitability as Presently Zoned:**

Both the current and requested zoning districts are appropriate for the subject property and surrounding properties.

**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 request does not appear to conflict with any public policy objective. The request is consistent with the Heritage South Sector Plan.

**6. Size of Tract:**

The subject property is 8.71 acres, which should be able to reasonably accommodate the proposed use.

**7. Other Factors:**

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

The applicant requests a 6-foot fence along the front yard of the 8.71 acre tract of land. According to Section 35-514 (d)(2)(D) “additional fence height is permitted by the City Council pursuant to a rezoning or Specific Use Authorization.”