



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1606

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 2/6/2018

**Title:** ZONING CASE # Z2018075 CD (Council District 7): A request for a change in zoning from "I-1AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Motor-Vehicle Sales on Lot 22, Block 1, NCB 13719, Lot 22A, CB 4429, located at 5701 Bandera Road. Staff recommends Denial.

**Sponsors:**

**Indexes:**

**Code sections:**

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

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018075 CD

**SUMMARY:**

**Current Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Mowood, L.P.

**Applicant:** Roddie Xavier Asencio

**Representative:** Roddie Xavier Asencio

**Location:** 5701 Bandera Road

**Legal Description:** Lot 22, Block 1, NCB 13719, Lot 22A, CB 4429

**Total Acreage:** 0.7693

**Notices Mailed**

**Owners of Property within 200 feet:** 6

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

**Applicable Agencies:** Office of Historic Preservation, Planning Department and Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed and zoned "R-A" Residence-Agriculture District by Ordinance 34305, dated May 26, 1966. The property was rezoned from "R-A" to "I-1" Light Industrial District by Ordinance 34690, dated August 4, 1966. The property converted from "I-1" Light Industrial District to "I-1" General Industrial 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:** "OCL", "I-1"

**Current Land Uses:** Bill Miller Bar-B-Q, Sonic, Retail Center, Vacant Lot

**Direction:** East

**Current Base Zoning:** "I-1"

**Current Land Uses:** Retail Center

**Direction:** South

**Current Base Zoning:** "UZROW"

**Current Land Uses:** State Highway 16

**Direction:** West

**Current Base Zoning:** "OCL"

**Current Land Uses:** Bill Miller Bar-B-Q, Sonic

**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:** Bandera Road

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Wurzbach Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bus route 534 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 Motor Vehicle 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 “I-1”, which permits areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Medical Center Regional Center and is also located within ½ of a mile of the Bandera 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 North Sector Plan and is currently designated as “Suburban Tier” in the future land use component of the plan. The “C-2” 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. The proposed rezoning to “C-2” base zoning would be a downzoning from the current “I-1” General Industrial District, however there appears to be a saturation of the proposed auto sales use.

**3. Suitability as Presently Zoned:**

The current “I-1” General Industrial District is not consistent with the current land use designation for the property and surrounding area. However, all of the surrounding properties carry the same industrial base zoning.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare; however there is an oversaturation of Auto Sales uses along the Bandera Road Corridor. The proposed rezoning is requested in order to develop the property into a Motor Vehicle Sales business.

#### **5. Public Policy:**

The proposed rezoning appears to conflict with planning principles and elements of the North Sector Plan. The rezoning request to change the base zoning from “I-1” to “C-2” is a downzoning, however the surrounding area is oversaturated with used and new car dealerships. The Conditional Use for Motor Vehicle Sales permits an increase of said saturation which does not align with the following goals of the North Sector Plan:

Relevant Goals and Policies of the North Sector Plan may include:

- ED-1.3 Continue to maintain and revitalize the North Sector to retain and expand vibrant retail and commercial uses within the IH-10, IH-35, Loop 410 and Loop 1604 corridors and/or centers.

#### **6. Size of Tract:**

The subject property is 0.7693 of an acre, which should reasonably accommodate a Motor Vehicle Sales business.

#### **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 rezoning be approved, staff recommends the following conditions:

1. No temporary signs, no pennant flags, no feather flags and no streamers or strings.
2. No outdoor amplification speakers permitted.
3. Lighting shall be directed onto the property only.