



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-3235

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 5/4/2021

**Title:** ZONING CASE Z-2021-10700060 CD (Council District 1): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair with Outside Storage of Vehicles, Trailers, and Equipment on Lot 24, Block 78, NCB 2773, located at 1303 West Lullwood Avenue. Staff recommends Denial, with Alternate Recommendation. (Associated Plan Amendment PA-2021-11600017) (Justin Malone, Planner, (210) 207-0157, Justin.Malone@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:** 1

**SUBJECT:**

Zoning Case Z-2021-10700060 CD  
(Associated Plan Amendment PA-2021-11600017)

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair with Outside Storage of Vehicles, Trailers, and Equipment

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 4, 2021

**Case Manager:** Justin Malone, Planner

**Property Owner:** Devon Luna

**Applicant:** Chuck Christian

**Representative:** Chuck Christian

**Location:** 1303 West Lullwood Avenue

**Legal Description:** Lot 24, Block 78, NCB 2773

**Total Acreage:** 0.1261

**Notices Mailed**

**Owners of Property within 200 feet:** 24

**Registered Neighborhood Associations within 200 feet:** Keystone Neighborhood Association, Los Angeles Heights Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The property was part of the original thirty-six (36) square miles of the City of San Antonio and was originally zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to "R-4" Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope, however the entirety of the property is in the flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Auto and Light Truck Repair

**Direction:** East

**Current Base Zoning:** "I-1", "C-3"

**Current Land Uses:** Bank

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single Family Residential

**Direction:** West

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single Family Residential

**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:** West Lullwood Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Warren Avenue  
**Existing Character:** Local  
**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property.  
**Routes Served:** 509

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The parking minimum for Auto and Light Truck Repair is 1 per 500 square feet GFA of sales and service building.

**ISSUE:**

The requested “C-2” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment from “Urban Low Density Residential” to “Community Commercial” to accommodate this zoning request. The “CD” Conditional Use will allow all “C-2” uses in addition to Auto and Light Truck Repair with Outside Storage of Vehicles, Trailers, and Equipment.

**ALTERNATIVES:**

**Current:** “R-4” Residential Single-Family Districts allow for Single-Family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, accessory dwelling, foster family home, public and private schools.

**Proposed:** “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.

The “CD” Conditional Use will allow all “C-2” uses in addition to Auto and Light Truck Repair with Outside Storage of Vehicles, Trailers, and Equipment.

**FISCAL IMPACT:**

None.

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

The property is located not located within a regional center, but it is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of “C-1 CD” for a Conditional Use for Auto and Light Truck Repair with Outside Storage of Vehicles, Trailers, and Equipment..

**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 Near Northwest Community Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Community Commercial” to accommodate the “C-2” base zoning but amended their request to “Neighborhood Commercial.” Staff and the Planning Commission recommend Approval.

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

Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The intensity requested of “C-2” Commercial District is slightly more intense for this single-family area.

### **3. Suitability as Presently Zoned:**

The current “R-4” Single Family Residential is appropriate for the property and surrounding area. The requested “C-2 CD” is not consistent with the residential character of the neighborhood. Therefore, staff recommends an alternate zoning of “C-1 CD” Light Commercial with a Conditional Use for Auto and Light Truck Repair with Outside Storage of Vehicles, Trailers, and Equipment.

### **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 Near Northwest Community Plan:

#### **Plan Goals:**

- Objective 2.2: Business Development- Create opportunities for new business development to ensure a diversity of attractive business in pedestrian friendly environments.
  - 2.2.4- Discourage certain businesses from locating within the planning area including day labor sites, pawn shops, tattoo parlors, dollar-type stores, used car sales and additional auto repair stores.

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

The subject property is 0.126 acres, which could reasonably accommodate commercial use and the proposed Auto and Light Truck Repair with Outside Storage of Vehicles, Trailers, and Equipment.

### **7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant will be amending their request to “C-1 CD” with a Conditional Use for Auto and Light Truck Repair with Outside Storage of Vehicles, Trailers, and Equipment.