



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-1323

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/19/2015

**Title:** ZONING CASE# Z2015070 CD (District 2): An Ordinance amending the Zoning District Boundary from "C-2 NA CD AHOD", Commercial Nonalcoholic Sales Airport Hazard Overlay District with use for Tire Sales, "C-2 AHOD" Commercial Airport Hazard Overlay District, "RM-4 AHOD" Residential Mix Use Airport Hazard Overlay District, and "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with use for Motor Vehicle Sales {full service} on 0.706 acre tract of land out of Lot 27, 28, 29, 30, 31, 32, and 33 Block 20, NCB 1611 and the South Half (S 90 Feet) of Lot 47 and 48, Block 27 NCB 1610 at 1317 and 1332 S New Braunfels Avenue; 505 and 511 Porter Street. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case # 15010)

**Sponsors:**

**Indexes:** Plan Amendment

**Code sections:**

**Attachments:** 1. Z2015070\_Site Plan, 2. Z2015070 CD Zoning Commission Minutes, 3. Z2015-070 Map, 4. DRAFT ORDINANCE, 5. Ordinance 2015-02-19-0127

Date	Ver.	Action By	Action	Result
2/19/2015	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2015070 CD

**SUMMARY:**

**Current Zoning:** "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Tire Sales, "C-2 AHOD" Commercial Airport Hazard Overlay District, "RM-4 AHOD" Residential Mixed Use Airport Hazard Overlay District, and "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 20, 2015

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Dante Omar Lopez & Nestor L Lopez

**Applicant:** Dante Omar Lopez

**Representative:** Brown & Ortiz PC (c/o James McKnight)

**Location:** 1317 and 1332 S New Braunfels Avenue; 505 and 511 Porter Street

**Legal Description:** 0.706 acre tract of land out of Lot 27, 28, 29, 30, 31, 32, and 33 Block 20, NCB 1611 and The South Half (S 90 Feet) of Lot 47 and 48, Block 27 NCB 1610

**Total Acreage:** 0.706

**Notices Mailed**

**Owners of Property within 200 feet:** 34

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Planning Team:** Arena District/Eastside Community Planning Team-22

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the city limits as recognized in 1938 and was originally zoned under the 1938 ordinance. In a 1985 case, NCB 1611, Block 20, Lots 27-29 were rezoned to “B-2 NA SUP” Business Nonalcoholic Sales District with a Specific Use Permit for a tire sales store. In a 1993 large area case, NCB 1610 Block 27 Lots 47-48 and NCB 1611 Block 20 Lots 32-33 were rezoned to “R-2” Two Family Residence District and NCB 1611 Block 20 Lot 30-31 were rezoned to “B-2” Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to their current designations. All of the subject property was platted in 1890 (volume 72, page 510-512 of the Deed and Plat Records of Bexar County, Texas). Portions of the subject property (NCB 1610, Block 20, Lot 27, 28 and 29) was developed in 1950 with automotive service garage totaling approximately 13,544 square-feet. The remaining portions of the subject property remain undeveloped.

**Topography:** The subject 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

**Current Base Zoning:** “C-2”, “RM-4”

**Current Land Uses:** Self Service Carwash, Residential Single Family

**Direction:** East

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Residential Single Family

**Direction:** South

**Current Base Zoning:** “C-2”, “RM-4”

**Current Land Uses:** Restaurant, Parking Lot, Residential Single Family

**Direction:** West

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Residential Single Family

**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:** South New Braunfels Avenue

**Existing Character:** Primary Arterial, Type B; two lanes each direction with sidewalks both sides

**Proposed Changes:** None known

**Thoroughfare:** Porter Street

**Existing Character:** Local Street, Type B; two lanes in each direction, sidewalk on both sides.

**Proposed Changes:** None known

**Public Transit:** Several VIA bus stops are located immediately across the street from the subject property and on the south side of subject property fronting Porter Street. Bus route 20 operates along New Braunfels Avenue and route 28 operates along Porter Street.

**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:** Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to a Motor Vehicle Sales (full service).

Motor Vehicle Sales (full service) - Minimum Parking Requirement: 1 per 500 square feet Gross Floor Area (GFA) of sales and service area;

Maximum Parking Requirement: 1 per 375 square feet Gross Floor Area (GFA) of sales and service area

**ISSUE:**

None

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning classifications, restricting future land uses to those permissible in the "C-2 NA", "C-2" and "RM-4" zoning districts.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend approval, pending Plan Amendment.

**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 Arena District/Eastside Community Plan and is currently designated as Medium Density Residential in the future land use component of the plan. The proposed zoning change requires a plan amendment. The applicant has initiated an amendment to the Arena District/Eastside

Community Plan. The Planning Commission recommended approval.

**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.

**3. Suitability as Presently Zoned:**

The existing “C-2” base zoning district and the proposed “C-2 CD” with Conditional Use for Motor Vehicle Sales (full service) is consistent with surrounding zoning and uses.

**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.

**6. Size of Tract:**

The subject property measures 0.706 of an acre in size, which is sufficient to accommodate commercial development and required parking. The subject property is fully developed with building structure and parking area.

**7. Other Factors:**

None