



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-3110

**Type:** Zoning Case

**In control:** City Council A Session

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

**Title:** ZONING CASE # Z2015046 CD (District 7): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD CD" Commercial Airport Hazard Overlay District with a Conditional Use for a Motor Vehicle Sales (Full Service) on a 3.124 acres of land, out of NCB 11493 located at 4712 Culebra Road. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015-046 CD Location Map, 2. Z2015046 CD Site Plan, 3. Z2015046 CD Zoning Commission Minutes, 4. DRAFT ORDINANCE, 5. Ordinance 2015-02-19-0134

| 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:** Council District 7

**SUBJECT:**  
Zoning Case Z2015046 CD

**SUMMARY:**

**Current Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

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

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Rosenstein Family Limited Partnership (Beverly Barshop)

**Applicant:** Rosenstein Family Limited Partnership (Beverly Barshop)

**Representative:** PW Christensen, P. C. (Patrick Christensen)

**Location:** 4712 Culebra Road

**Legal Description:** A 3.124 acres of land, out of NCB 11493

**Total Acreage:** 3.124

**Notices Mailed**

**Owners of Property within 200 feet:** 10

**Neighborhood Associations:** Culebra Park Neighborhood Association

**Planning Team Members:** West/Southwest Sector Plan - 35

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed in September of 1952 and was originally zoned "A" Single-Family Residence District. In May of 1972, the property was rezoned to "R-3" Multi-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "MF-33" Multi-Family District. Property is 3.124 acres of land, out of the Charles F. King Survey, Abstract 396, New City Block 11493 (volume 10447, page 0001 of the Deed and Plat Records of Bexar County, Texas). The property is not platted into its current configuration and currently undeveloped.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North across Culebra Road

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Apartments and Drainage ROW (Zarzamora Creek)

**Direction:** East

**Current Base Zoning:** "FM-33" and "R-5"

**Current Land Uses:** Vacant Land and Drainage ROW (Zarzamora Creek)

**Direction:** South

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Apartments

**Direction:** West

**Current Base Zoning:** "C-3R" and "MF-33"

**Current Land Uses:** Vacant Land

**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:** Culebra Road

**Existing Character:** Secondary Arterial Type A; two lanes in each direction separated by a median for left and right turn lanes with sidewalks.

**Proposed Changes:** None known

**Public Transit:** The VIA bus line is the 82, which operates along Culebra Road.

**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 rezoning application refers to a proposed development of Motor Vehicle Sales.

Motor Vehicle Sales:

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 multi-family zoning classification, restricting future land uses to those permissible in the "MF-33" zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (9-0) 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 West/Southwest Sector Plan and is currently designated as General Urban Tier in the future land use component of the plan. The requested "C-2 CD" Commercial District with a Conditional Use for a Motor Vehicle Sales (Full Service) is consistent with the adopted land use designation.

**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. The requested "C-2 CD" Commercial District with a Conditional Use for Motor Vehicle Sales (Full Service) would be appropriate at this location and will not alter the character of the area.

**3. Suitability as Presently Zoned:**

The existing "MF-33" Multi-Family District and proposed "C-2 CD" Commercial District with a Conditional Use for a Motor Vehicle Sales (Full Service) are consistent with the adopted land use plan.

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

Staff has found no indication of a likely negative influence on public health, safety or welfare in relation to this zoning change request. The requested "C-2 CD" Commercial District with a Conditional Use for Motor Vehicle Sales (Full Service) is consistent with the surrounding land uses, which are commercial and multi-family in nature.

**5. Public Policy:**

The requested zoning change does not appear to conflict with any public policy objectives. The proposed "C-2

CD" Commercial District with a Conditional Use for Motor Vehicle Sales (Full Service) is consistent with the West/Southwest Sector Plan, which was adopted by City Council on April 21, 2011.

The "C-2" Commercial District will allow continued development in accordance with the goals of the West/Southwest Sector Plan that encourage commercial, retail and offices along or near major arterials. It also supports the Plan's goal of promoting economic growth in the area along arterials and in established commercial areas.

**6. Size of Tract:**

The subject property is 3.124 acres in size, which is sufficient size to accommodate the uses permitted in the "C-2" district as well as the requested conditional use and required parking. The applicant has submitted a site plan in order to comply with the Conditional Use requirements.

**7. Other Factors:**

The conditional zoning procedure is designed to provide for a land use within an area 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 granting of conditional zoning shall only be for the conditional use named in the ordinance (Motor Vehicle Sales) approving the conditional zoning district.

Motor vehicle sales (full service): An establishment that provides sales of any motorized vehicles including autos, trucks, RV's, boats, motorcycles in addition to vehicle sales other vehicle related services to the general public such as vehicle repair, paint and body work, brake jobs, oil and lube service, vehicle detailing and washing.