



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-7485

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/17/2019

**Title:** ZONING CASE Z-2019-10700201 (Council District 1): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 42, NCB 10115, located at 5921 San Pedro Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2019-10-17-0862

Date	Ver.	Action By	Action	Result
10/17/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700201

**SUMMARY:**

**Current Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 1, 2019

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Edgar Mendoza

**Applicant:** Dubin Singer, P.C.

**Representative:** Dubin Singer, P.C.

**Location:** 5921 San Pedro Avenue

**Legal Description:** Lot 42, NCB 10115

**Total Acreage:** 0.4622

**Notices Mailed**

**Owners of Property within 200 feet:** 12

**Registered Neighborhood Associations within 200 feet:** Shearer Hills -Ridgeview Neighborhood Association

**Applicable Agencies:** San Antonio Parks Department

**Property Details**

**Property History:** The subject property was annexed on August 31, 1950, by Ordinance 12611, as "B" Residence District. The property was rezoned from "B" to "I-1" Light Industry and "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the "I-1" General Industry and "C-3" General Commercial base zoning district was converted from the previous "I-1" and "B-3".

**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:** "I-1" and "C-3"

**Current Land Uses:** Pawn Shop

**Direction:** South

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

**Current Land Uses:** Plumbing and Electric Company

**Direction:** East

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

**Current Land Uses:** Warehouse

**Direction:** West

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

**Current Land Uses:** Motor Vehicle Sales

**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.

**Transportation**

**Thoroughfare:** San Pedro

**Existing Character:** Principal - Primary Arterial Type B

**Proposed Changes:** Primary Arterial Type A

**Public Transit:** 3, 4, 205, 505

**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 parking requirement for oil, lube, and tune up is 1 space per 500 square foot 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” General Industrial and “C-3” General Commercial.

**Current:** The “I-1” General industrial district accommodates 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.

The “C-3” General Commercial District is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. “C-3” uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**Proposed:** The “C-2” Commercial District accommodates 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

**FISCAL IMPACT:**

None

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

The subject property is not within a Regional Center but it is located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and 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 North Central Community Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2” Commercial base zoning district is consistent with the future land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “I-1” General Industrial District and “C-3” General Commercial District is not an appropriate zoning for the property and surrounding area. The proposed “C-2” downzones the property and is consistent with the use. The rezoning also provides consistency throughout the property of zoning designation.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the North Central Community Plan:

GOAL 1: Support and promote business and employment development along the commercial corridors that provide for a healthy business climate while supporting the needs of the North Central Neighborhoods Community by aesthetically and environmentally reinforcing their community cultural identity and providing an attractive destination for visitors and shoppers from around the city.

GOAL 3: Maintain and preserve the quality of the existing residential and commercial properties through the encouragement of rehabilitation and code compliance.

Objective 3.1: Promote the maintenance of existing properties.

**6. Size of Tract:**

The subject property is 0.4622 acres and reasonably accommodates the existing commercial use.

**7. Other Factors:**

The applicant is rezoning an existing Jiffy Lube business. Oil and lube services are allowed in “C-2”.