



City of San Antonio

Legislation Details (With Text)

File #: 20-1767

Type: Zoning Case

In control: City Council A Session

On agenda: 2/20/2020

Title: ZONING CASE Z-2019-10700297 CD (Council District 2): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on 0.567 acres out of NCB 16918, located in the 8100 block of Melbury Forest. Staff recommends Approval. Zoning Commission recommends Denial.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Metes and Bounds

Date	Ver.	Action By	Action	Result
2/20/2020	1	City Council A Session	denied	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:

Zoning Case Z2019-10700297 CD

SUMMARY:

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

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 17, 2019

Case Manager: Lorianne Thennes, Planner

Property Owner: Ardeshir Adami Zadeh Sobi

Applicant: Ardeshir Adami Zadeh Sobi

Representative: Ardeshir Adami Zadeh Sobi

Location: 8100 block of Melbury Forest

Legal Description: 0.567 acres out of NCB 16918

Total Acreage: 0.567 acres

Notices Mailed

Owners of Property within 200 feet: 8

Registered Neighborhood Associations within 200 feet: None

Applicable Agencies: Randolph Air Force Base

Property Details

Property History: The subject property was annexed into the city by Ordinance 70438, dated December 31, 1989, and was originally zoned Temporary "R-1" One-Family Residence District. It was rezoned to "B-2" Business District by Ordinance 71279, dated March 22, 1990. This "B-2" Business District converted to the current "C-2" Commercial District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001.

Topography: The western portion of the subject property falls within the flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-2" and "C-3R"

Current Land Uses: Vacant car wash, food mart, auto and lube shop

Direction: East

Current Base Zoning: "OCL"

Current Land Uses: Single-family homes

Direction: South

Current Base Zoning: "C-3" and "OCL"

Current Land Uses: Vacant, single-family homes

Direction: West

Current Base Zoning: "C-3"

Current Land Uses: Retention ditch, shopping center

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: Melbury Forest

Existing Character: Local

Proposed Changes: None

Public Transit: There is one VIA bus route within walking distance of the subject property.

Route: 632

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 requirement for motor vehicle sales is 1 space per 500 square feet of ground floor area of the sales and service building.

ISSUE:

None.

ALTERNATIVES:

Current: The current "C-2" Commercial District accommodates commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

Proposed: The current "C-2" Commercial District accommodates commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is within a regional center and is not within a premium transit corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval. Zoning Commission (8-0) recommend 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 not located within any Community, Neighborhood, or Sector Plan therefore a finding of consistency is not required.

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. The proposed request maintains the base zoning district of "C-2" and the Conditional Use holds the applicant to the site plan and allows appropriate buffers and screen to be added as conditions if needed.

3. Suitability as Presently Zoned:

The current "C-2 AHOD" Commercial Airport Hazard Overlay District is an appropriate zoning for the property and surrounding area. The base zoning district is remaining the same for each lot. The "CD" Conditional Use allows consideration of conditioning down the "C-3" use of Motor Vehicle Sales (Full Service) with any needed conditions (i.e. fencing, buffers, hours of operation, temporary sign restrictions, etc...).

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 subject property is not located within any Community, Neighborhood, or Sector Plan therefore a finding of consistency is not required.

6. Size of Tract:

The subject property is 0.567 acres, which could reasonably accommodate commercial uses and motor vehicle sales.

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 subject property is located within the Randolph AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.