



# City of San Antonio

## Agenda Memorandum

**File Number:** 17-6183

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**Agenda Item Number:** Z-6.

**Agenda Date:** 12/7/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017297 S

**SUMMARY:**

**Current Zoning:** "C-2 AHOD Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for an Auto Paint and Body Shop

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 7, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Clyde Johnson and Sons Hereford Ranch, LTD

**Applicant:** Michael Johnson

**Representative:** Brown & Ortiz, PC

**Location:** 9714 and 9626 San Pedro Avenue

**Legal Description:** Lot 51, Block 6, NCB 11716 and 3.247 acres out of NCB 11716

**Total Acreage:** 4.297

**Notices Mailed**

**Owners of Property within 200 feet:** 13

**Registered Neighborhood Associations within 200 feet:** Greater Harmony Hills Neighborhood Association

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 25, 1952, established by Ordinance 18115 and was originally zoned “F” Local Retail District, “B” Residence District and “R-2” Two Family District. Ordinance 57125 rezoned a portion of the property to “B-3” Business District. Ordinance 42214 rezoned another portion of the property “B-3” Business District. Upon the adoption of the 2001 Unified Development Code the previous zoning converted to the current “C-2” Business District and “C-3” General Commercial District.

**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:** C-2, C-3

**Current Land Uses:** Fast Food Establishment, Motor Vehicle Sales

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Business Park

**Direction:** South

**Current Base Zoning:** C-3

**Current Land Uses:** Motor Vehicle Sales

**Direction:** West

**Current Base Zoning:** C-2, C-3

**Current Land Uses:** Gas Station, Restaurant

**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:** San Pedro Avenue

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** McCarty Road

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 502 and 602 are within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** An Auto Paint and Body Shop requires a minimum of 1 per 500 sq. ft. of the Gross

Floor Area (GFA) and a maximum of 1 per 375 sq. ft. of the GFA, including service bays, wash tunnels and retail areas.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject properties retaining the present zoning district designations. The current “C-2” Commercial District accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses are as follows: 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 is permitted except for outdoor dining.

The current “C-3” General Commercial District accommodates 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 is permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**

None.

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

The subject property is within the Greater Airport Area Regional Center. The subject property is within a half (½) of a mile of the San Pedro Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and 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 properties are located within the San Antonio International Airport Vicinity Land Use Plan and are currently designated “Regional Commercial” in the future land use component of the plan. The requested “C-3” base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed rezoning to “C-3 S” for the development of an Auto Paint and Body Shop does not negatively impact the neighboring properties, due to the neighboring properties being similar automotive uses.

**3. Suitability as Presently Zoned:**

The current “C-2” and “C-3” base zoning are suited for the surrounding area. The adjacent properties are

predominately “C-2” and “C-3” base zoning districts.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The zoning change will not pose a threat to the health, safety, or welfare of the residents within the area. The proposed rezoning will be in line with the current development of the area.

#### **5. Public Policy:**

The rezoning request does not appear to conflict with the land use goals, objectives and key themes of the San Antonio International Airport Vicinity Land Use Plan.

- Key Theme 7 - Encourage compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes
- Objective 2.3 Redevelop major commercial corridors to serve the needs of the airport neighborhoods and patrons
- Objective 4.4 Support commercial redevelopment through comprehensive rezoning and incentive zoning

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

The subject properties measures 4.297 acres, which should reasonably accommodate the Auto Paint and Body Shop.

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

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but with may, under the right set of circumstances and conditions be acceptable in certain specific locations.