



# City of San Antonio

## Agenda Memorandum

**File Number:** 18-1860

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**Agenda Item Number:** 10.

**Agenda Date:** 2/20/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018080 CD  
(Associated Plan Amendment 18026)

**SUMMARY:**

**Current Zoning:** "C-2" Commercial District

**Requested Zoning:** "C-2 NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Motor Vehicle Sales (Full Service Repair)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 20, 2018

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Jose Fernando Macias

**Applicant:** Fernando De Leon

**Representative:** Fernando De Leon

**Location:** 2015 Rigsby Avenue

**Legal Description:** Lot 2, Block 1, NCB 10751

**Total Acreage:** 0.1930

**Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** Comanche Community

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1952, and was zoned “B” Two Family Residential District. A 1977 case, Ordinance 48384, rezoned the property to “B-2” Business District. Upon the adoption of the Unified Development Code, the previous “B-2” converted to the current “C-2” Commercial District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residences, Vacant Lots

**Direction:** East

**Current Base Zoning:** R-4, C-3 CD, I-1

**Current Land Uses:** Single-Family Residences, Used Auto Sales

**Direction:** South

**Current Base Zoning:** R-4, C-2, C-3

**Current Land Uses:** Printing Services, Auto Parts Store, Roofs, Windows, Siding Co., Stewart Elementary

**Direction:** West

**Current Base Zoning:** R-4, C-3 CD, I-1

**Current Land Uses:** Single-Family Residences, Vacant Lot, Used Auto Sales

**Overlay and Special District Information:** None

**Transportation**

**Thoroughfare:** Pioneer Road

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** Rigsby Avenue

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA route 30 is within walking distance of the subject property.

**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:** Auto Sales: Minimum Parking Spaces- 1 per 500 sf of sales and service building. Maximum Parking Spaces- 1 per 375 sf of sales and service building

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. C-2 districts accommodate 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 located within a Regional Center or a Premium Transit Corridor.

**Staff Analysis and Recommendation:** Staff recommends Approval.

**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 Eastern Triangle Community Plan, and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-2” commercial base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to change the future land use from “Neighborhood Commercial” to “Community Commercial”. Staff and Planning Commission recommend approval of the amendment.

**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 subject property fronts a major arterial, Rigsby Avenue, and is along a commercial corridor. The property owner owns the adjacent property to the west that is currently being used for auto sales. The owner intends to expand his current auto full service onto the lot in question. The base zoning will not change and conditions may be added for additional regulation.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the subject property’s location. The request will not change the base zoning, but will add the conditional use for the Motor Vehicle Sales.

**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 rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property totals 0.1930 acres in size, which reasonably accommodates the uses permitted in “C-2” Commercial District.

**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.