



# City of San Antonio

## Agenda Memorandum

**File Number:** 14-1601

---

**Agenda Item Number:** Z-5.

**Agenda Date:** 8/21/2014

**In Control:** City Council A Session

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**SUBJECT:**

Zoning Case Z2014192 CD

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Truck Parts/Accessory Installation - No Mechanical Service Permitted

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 15, 2014

**Case Manager:** Tony Felts, Planner

**Property Owner:** Estate of Pablo J. Vargas (by Diana Carrauthers, Independent Executor)

**Applicant:** KLove Engineering, LLC (Jaime Noriega, P.E.)

**Representative:** KLove Engineering, LLC (Jaime Noriega, P.E.)

**Location:** 8265 IH-10 East

**Legal Description:** 2 acres out of Parcel 18, NCB 17990

**Total Acreage:** 2

**Notices Mailed**

**Owners of Property within 200 feet:** 6

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** 29 - IH-10 East Corridor Perimeter Plan

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed in 1985, and was originally zoned “Temp R-1” Temporary Single-Family Residence District. In a 1989 case, the property was rezoned to “RA” Residence-Agriculture District and “B-2” Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to “NP-10” Neighborhood Preservation District and “C-2” Commercial District, respectively.

The subject property is not currently platted into its current configuration. There are several structures on the property in derelict condition; none are occupied at this time.

**Topography:** The property includes a portion of the floodplain area of Martinez Creek.

**Adjacent Zoning and Land Uses**

**Direction:** North, East, West

**Current Base Zoning:** “NP-10”, “C-2”

**Current Land Uses:** Undeveloped Property and Vacant Structures

**Direction:** South

**Current Base Zoning:** Right-of-Way

**Current Land Uses:** IH-10 Freeway

**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:** IH-10

**Existing Character:** Freeway; two lanes in each direction, with frontage roads, no sidewalks

**Proposed Changes:** None known

**Public Transit:** There are no VIA bus lines in the vicinity 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:** Off-street parking requirements are typically determined by the type of use and building size. The application refers to a proposed Auto and Truck Parts/Accessory Installation - No Mechanical Service Permitted, but the Unified Development Code (UDC) does not include parking standards for this use. Based on the applicant’s description of the proposed use, staff has determined that the most similar use in the UDC is Auto Paint and Body.

Auto Paint and Body - Minimum parking requirement: 1 space per 500 square feet of Gross Floor Area including service bays, wash tunnels, and retail areas; 1 space per 375 square feet of Gross Floor Area including service bays, wash tunnels, and retail areas.

The requisite Conditional Use site plan indicates 14,000 square feet of building space and 33 parking spaces,

which exceeds the minimum parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current “C-2” and “NP-10” base zoning districts; restricting future land uses to those permissible in those respective zoning districts.

**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 IH-10 East Corridor Perimeter Plan and is designated as Community Commercial in the future land use component of the plan. The requested “C-2” base zoning district 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 immediate vicinity is mostly vacant land that is designated for commercial and light industrial development in the adopted land use plan.

**3. Suitability as Presently Zoned:**

Both the current “C-2” base zoning district and requested “C-2 CD” district are appropriate for the subject property and surrounding properties. The existing “NP-10” district is not consistent with the future land use component of the IH-10 East Corridor Perimeter Plan, and therefore could be considered inappropriate.

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

**6. Size of Tract:**

The subject property is 2 acres in size, which should reasonably accommodate the uses permitted in “C-2” as well as the proposed conditional use and required parking.

**7. Other Factors:**

The conditional use 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 (Auto and Truck Parts/Accessory Installation - No Mechanical Service Permitted) approving the conditional zoning district.