



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-982

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 5/1/2014

**Title:** ZONING CASE # Z2014091CD (District 10): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on Lots 12 and 13, Block 1, NCB 14947 located at 5663 Randolph Boulevard and a portion of 10507 Bledsoe (also known as 5671 Randolph Boulevard). Staff recommends approval. The Zoning Commission twice held a public hearing and was unable to reach a majority vote; such action shall be deemed a recommendation of denial. (Continued from April 17, 2014)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-091 CD, 2. Z2014091 CD\_Site Plan, 3. Z2014091 CD, 4. Draft Ordinance, 5. Ordinance 2014-05-01-0311

Date	Ver.	Action By	Action	Result
5/1/2014	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 10

**SUBJECT:**

Zoning Case Z2014091 CD

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 18, 2014

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Joseph R. Logue

**Applicant:** Joseph R. Logue

**Representative:** Joseph R. Logue

**Location:** 5663 Randolph Boulevard and a portion of 10507 Bledsoe (also known as 5671 Randolph Boulevard)

**Legal Description:** Lots 12 and 13, Block 1, NCB 14947

**Total Acreage:** 0.4919

**Notices Mailed**

**Owners of Property within 200 feet:** 30

**Neighborhood Associations:** Royal Ridge Neighborhood Association is located within 200 feet.

**Planning Team Members:** None

**Applicable Agencies:** None

**Property Details**

**Property History:** The property was annexed in 1971 and was originally zoned “Temp R-1” Temporary Single Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “R-6” Residential Single-Family District. The subject property consists of two platted lots that were platted into the current configuration in December of 1948 (Volume 2575, page 77 of the Deed and Plat Records of Bexar County, Texas).

The property is currently occupied with two buildings and three manufactured homes. One of the buildings was constructed in 1958, measuring approximately 1,650 square feet in size.

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

**Adjacent Zoning and Land Uses**

**Direction:** North and across Randolph Boulevard to the southeast

**Current Base Zoning:** “R-6” and “R-6 PUD”

**Current Land Uses:** Vacant Lot and Single-Family Dwellings

**Direction:** Southwest

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Auto Repair

**Direction:** Northeast across Bledsoe Drive

**Current Base Zoning:** “C-3”

**Current Land Uses:** Tattoo Parlor, Computer Repair and Outside Storage

**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:** Bledsoe Drive

**Existing Character:** Local Street; 1 lane in each direction without sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Randolph Boulevard

**Existing Character:** Primary Arterial Type A; 1 lane in each direction with partial sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines is the 21, which operates along Randolph Boulevard with a bus stop in the immediate vicinity of the subject property.

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

**Parking Information:** Off-street vehicle parking requirements are typically determined by the type of use and building size. The rezoning application refers to proposed bakery and vehicle sales uses.

Bakery - Retail-Minimum Requirement: 1space per 300 square feet of Gross Floor Area. Maximum Allowance: 1 space per 200 square feet of Gross Floor Area.

Motor Vehicle Sales - Minimum Requirement: 1space per 500 square feet of Gross Floor Area of sales and service building. Maximum Allowance: 1 space per 375 square feet of Gross Floor Area of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current residential zoning, restricting future land uses to those permissible in the “R-6” zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff recommends approval. The Zoning Commission twice held a public hearing and was unable to reach a majority vote; such action shall be deemed to be a recommendation of 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 a neighborhood, community or sector plan. The requested zoning is generally consistent with the surrounding land uses.

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

Staff finds no likely adverse impact on the surrounding properties related to the zoning change request. This zoning change would be appropriate at this location and will not alter the character of the neighborhood.

Conditional zoning 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 the adjacent uses under given conditions. Motor Vehicle Sales is a use permitted outright in "C-3" General

Commercial District and "L" Light Industrial District. The use often can be accommodated in lower commercial zoning districts where mitigating efforts are taken to protect surrounding uses.

Any new construction will trigger both building setbacks and landscape buffers to protect abutting residential uses. The impact on the neighboring lands, due to the commercial district, is greatly offset by the three manufactured homes adjacent to the single-family dwelling to the north.

### **3. Suitability as Presently Zoned:**

The "R-6" base zoning is not appropriate for properties with frontage on a major thoroughfare.

The subject property is located on Randolph Boulevard, a major thoroughfare, and is situated on a corner lot with frontage on Bledsoe Drive, a local access street.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to this request. Significant improvements have been made to the subject site. Approval of the rezoning request will allow viable use of the property.

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

The request does not appear to conflict with any public policy objective. The applicant is requesting to rezone the property to a commercial district so the proposed commercial uses will be in conformity with the current provisions of the Unified Development Code.

The three manufactured homes are not permitted by right in the current "R-6" district or the proposed "C-2" district. The homes are and will remain nonconforming uses; however, they have not been registered as legal nonconforming uses. Should the homes be successfully registered as legal nonconforming uses, they may continue to be used as residences and will be subject to the restrictions for non-conforming uses.

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

The subject site is 0.4919 of an acre in size, which should reasonably accommodate the proposed uses. A zoning change request for a Conditional Use requires the applicant to submit a site plan of the subject property that includes all existing and proposed development.

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

The existing buildings will be required to comply with all commercial building and safety codes prior to the issuance of a Certificate of Occupancy.

District regulations within the "C-2NA" districts are the same as in the "C-2" district, except that the sale of alcoholic beverages is prohibited.