



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-860  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 5/1/2014  
**Title:** ZONING CASE # Z2014126 CD (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on Lots 9 and 10, Block 2, NCB 8086 located at 1720 Castroville Road. Staff and Zoning Commission recommend approval, with conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-126 CD, 2. Z2014126 CD, 3. Z2014126 CD\_Site Plan, 4. Draft Ordinance, 5. Ordinance 2014-05-01-0303

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 5

**SUBJECT:**  
Zoning Case Z2014126 CD

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 1, 2014

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Gustavo Cruz Alvarado

**Applicant:** Gustavo Cruz Alvarado

**Representative:** Norman J. Alvarado

**Location:** 1720 Castroville Road

**Legal Description:** Lots 9 and 10, Block 2, NCB 8086

**Total Acreage:** 0.1377

**Notices Mailed**

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

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

**Planning Team Members:** West/Southwest Sector Plan - 35

**Applicable Agencies:** None

**Property Details**

**Property History:** The property was annexed in September of 1952 and was originally zoned “JJ” Commercial District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to “I-1” General Industrial District. In a 2009 City-initiated large-area rezoning case, the property was rezoned to “R-6” Residential Single-Family District. The subject property consists of two platted lots that were platted into the current configuration in December of 1943 (Volume 1625, page 201 of the Deed and Plat Records of Bexar County, Texas).

The property is currently occupied with one office building and two detached carports. The building was constructed in 1965, measuring approximately 600 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 across Castroville Road

**Current Base Zoning:** “C-2NA CD” and “C-2 S”

**Current Land Uses:** Retail Center with Auto and Light Truck Repair and Office Use

**Direction:** Southwest and Northeast

**Current Base Zoning:** “R-4”, “R-6” and “C-2NA CD”

**Current Land Uses:** Single-Family Dwellings, Vehicle Storage and Tire Shops

**Direction:** Southwest across Romero

**Current Base Zoning:** “C-2NA CD” and “R-6 CD”

**Current Land Uses:** Auto and Light Truck Repair, Vehicle Storage, Thrift Store and Apartments

**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:** Castroville Road

**Existing Character:** Secondary Arterial Type A; 2 lanes in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Romero

**Existing Character:** Local Street; 1 lane in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the 68, which operates along Castroville Road 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 typically are determined by the type of use and building size. The rezoning application refers to a proposed auto and light truck repair facility.

Minimum Requirement: 1 space per 500 square feet of Gross Floor Area (GFA) including service bays, wash tunnels and retail areas

Maximum Allowance: 1 space per 375 square feet of Gross Floor Area (GFA) including service bays, wash tunnels and retail areas

**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 and Zoning Commission (8-0) recommend approval, with conditions.

**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 West/Southwest Sector Plan and is currently designated as General Urban Tier in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted future land use designation.

The uses permitted in the “C-2” district are typically considered Community Commercial uses that draw their customer base from multiple residential areas. Community commercial uses in the General Urban Tier should be located at the intersection of arterials and/or collectors.

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

Staff finds no likely adverse impact on the surrounding properties related to the requested Conditional Use for Auto and Light Truck Repair. This zoning change would be appropriate at this location and will not alter the character of the neighborhood. Although the abutting property to the east also carries residential zoning, the property appears to be used for vehicle storage and would not be negatively impacted by the zoning change request.

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 by-right 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.

### **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 Castroville Road, a major thoroughfare, and is situated on a corner lot with frontage on Romero, a local access street. The subject property is better suited for small-scale office and commercial uses, not residential uses.

For the 2009 City-initiated rezoning case that created the current zoning, all vacant properties were given residential zoning; however, existing uses were generally accommodated through approval of Conditional Uses. Had the proposed auto repair facility been in operation at the time, staff likely would have recommended "C-2 CD" for the property.

### **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. Approval of the rezoning request will allow viable use of the property.

The existing buildings will be required to comply with all commercial building and safety codes prior to the issuance of a Certificate of Occupancy. Any new construction will trigger both building setbacks and landscape buffers to protect abutting residential uses.

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

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

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

The subject site is 0.1377 of an acre in size. The small size of the property will serve to limit the scale of the proposed use. 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 "C-2" district requires a minimum 10-foot side and 30-foot rear setback where abutting residential zoning or uses. Similarly, a 15-foot Type B landscape buffer is required where abutting single-family residential zoning. The proposed site configuration and existing structures can not comply with the basic building setback and landscape buffer requirements. However, the existing structures can be used without triggering the development requirements as long as there is no new construction.

Staff recommends the following conditions:

1. No storage of junk vehicles.
2. Vehicles must be licensed.
3. Outdoor speakers and amplification systems shall be prohibited.