



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-2734

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 5/7/2015

**Title:** ZONING CASE # Z2015107 CD (District 8): An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for an Auto and Light Truck Repair Facility on Lot 82, Block 28, NCB 16840 located at 6563 Babcock Road. Staff and Zoning Commission recommend Approval. (Continued from April 16, 2015)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Z2015107 CD\_Site Plan, 3. Z2015107 CD\_Zoning Minutes, 4. DRAFT ORDINANCE, 5. Ordinance 2015-05-07-0399

Date	Ver.	Action By	Action	Result
5/7/2015	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 8

**SUBJECT:**

Zoning Case Z2015107 CD

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD" Commercial District with a Conditional Use for an Auto and Light Truck Repair Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 17, 2015

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** The Point Shopping Center, LP

**Applicant:** David Barrow

**Representative:** Brown & Ortiz, P. C.

**Location:** 6563 Babcock Road

**Legal Description:** Lot 82, Block 28, NCB 16840

**Total Acreage:** 1.57

**Notices Mailed**

**Owners of Property within 200 feet:** 23

**Registered Neighborhood Associations within 200 feet:** Tanglewood Ridge Neighborhood Plan

**Planning Team:** North Sector Planning Team-38

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed in 1972 and was originally zoned “B-2” Local Retail District. Upon adoption of the 2001 Unified Development Code, the previous zoning district converted to the current “C-2” Commercial District. The subject property was platted in its current configuration in 2013 with Plat No. 120404, Volume 9652, Page 177. The property is currently undeveloped.

**Topography:** The property is currently undeveloped and has a minor slope that increases by approximately a height of 2 feet on the first 10 feet of the property starting from the street and then levels out.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C2”

**Current Land Uses:** Retail Center

**Direction:** East and Southeast

**Current Base Zoning:** “R6” and “RM4 PUD”

**Current Land Uses:** Single-Family Residential

**Direction:** South

**Current Base Zoning:** “C2” and “RM4 PUD”

**Current Land Uses:** Office, Car Wash and Single-Family Residential

**Direction:** West

**Current Base Zoning:** “C2,” “C3,” “C3NA,” and “MF33”

**Current Land Uses:** Restaurant, Tile Company, Auto Parts and Apartments

**Overlay and Special District Information:** None

**Transportation**

**Thoroughfare:** Babcock Road

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

**Proposed Changes:** None known

**Public Transit:** VIA route 604 is the nearest bus route. It runs along Springtime Drive and the nearest stop is south of the subject property at Babcock Road.

**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:** Off-street vehicle parking requirements are determined by type of use and building size. The Traffic Impact Analysis refers to an auto and light truck repair.

Auto - Auto and Light Truck Repair: Minimum Parking Requirement: 1 per 500 square feet Gross Floor Area (GFA) including services bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay; Maximum Parking Requirement: 1 per 375 square feet GFA including service bays, wash tunnels, and retail areas, plus 2 additional spaces for each inside service bay.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the Commercial District zoning.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (7-0) 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 North Sector Plan area, and is identified as Suburban Tier in the Future Land Use component of the plan. The "C-2" Commercial District is consistent with the adopted land use designation.

The subject property is also located within the Tanglewoodridge Neighborhood Plan. This plan was adopted in 1994 and has not been updated; therefore, it is no longer a regulatory plan, but may be used as a guiding document. The Tanglewoodridge Neighborhood Plan identifies the properties with frontage on Babcock Road as being appropriate for commercial development.

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

Granting of the "C-2" Commercial District with a Conditional Use for Auto and Light Truck Repair is not likely to have an adverse impact on the neighboring lands. The subject property is surrounded by a variety of zoning designations, ranging from commercial to residential.

When commercial zoning districts abut single-family residential zoning or uses, building setbacks and landscape buffers are required to mitigate the effects of increased traffic, noise, and lighting from the commercial development. The "C-2" district requires a 30-foot rear setback, a 10-foot side setback and 15-foot wide landscape buffer where the commercial zoning district abuts a residential zoning district.

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

The subject property zoned as “C2” Commercial District is suitable.

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

Staff finds possible negative effects on the health, safety and welfare of the adjacent neighborhood due to the proposed use of the subject property as a retail strip center with an included Light Auto and Truck Repair Facility. Possible negative effects include odors from vehicle exhaust, automotive liquids and chemicals, increased noise from repair operations, and light pollution from onsite light fixtures. These negative effects may be removed by adherence to the conditions set forth by a conditional use permit.

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

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

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

The size of the tract is 1.57 and staff finds the size to be adequate for the proposed use.

### **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.

Staff recommends the following conditions if approved:

1. A 20-foot buffer where the commercial zoning district abuts a residential zoning district to include 15-feet of Type B landscaping, and an additional 5 feet area free of buildings. Consultation shall be initiated with the City Arborist to select appropriate landscaping.
2. An 8 feet solid masonry fence as illustrated in the site plan shall be maintained where the subject property abuts residential zoning or uses.
3. Collection of any on-site dumpsters shall be limited to the hours of 7am to 9pm and dumpsters must be screened on at least 3 sides.
4. All onsite lighting shall be directed onto the site and point away from any residential zoning or uses.
5. No outdoor speaker or amplification systems shall be permitted.
6. Hours of Operation for the Auto and Light Truck Repair use (the Conditional Use) shall be limited to the hours of 7am to 6pm Monday through Friday and 8am to 4pm on Saturday (closed Sunday). Garage doors will close when the repair shop closes.
7. Auto and Light Truck Repair use will only occur within the footprint shown on the Conditional Use site plan.

