



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-3459  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 6/2/2015  
**Title:** (Continued from 5/19/15) ZONING CASE # Z2015141 CD (Council District 7): A request for a change in zoning from "C-1 NCD-3 AHOD" Light Commercial Commercial Ingram Hills Neighborhood Conservation Airport Hazard Overlay District to "C-2 CD NCD-3 AHOD" Commercial Ingram Hills Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use Authorization for Motor Vehicle Sales on Lot 304 Save and Except the NW IRR 35.32 Feet of 304, Block E, NCB 11553 located at 4704 Callaghan Road and 100 West Horseshoe Bend. Staff recommends Denial.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Notification Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**  
Zoning Case Z2015141 CD

**SUMMARY:**  
**Current Zoning:** "C-1 NCD-3 AHOD" Light Commercial Ingram Hills Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD NCD-3 AHOD" Commercial Ingram Hills Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** May 5, 2015

**Case Manager:** Logan Sparrow, Planner

**Property Owner:** Trinidad Ayala

**Applicant:** Trinidad Ayala

**Representative:** Baltazar R. Serna Jr

**Location:** 4704 Callaghan Road and 100 West Horseshoe Bend

**Legal Description:** Lot 304 save and except the NW IRR 35.32 Feet of lot 304, Block E, NCB 11553

**Total Acreage:** 1.073

**Notices Mailed**

**Owners of Property within 200 feet:** 40

**Registered Neighborhood Associations within 200 feet:** Ingram Hills and Thunderbird Hills (within 200 feet)

**Planning Team:** Ingram Hills Planning Team-17

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed on June 30, 1955, which was established by Ordinance 21436. The property was rezoned from “A” Single-Family Residence District to “B-1” Business District, which was established by Ordinance 57480, dated August 25, 1983.

**Topography:** None.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “RM-4” Residential Mixed District

**Current Land Uses:** Condominiums

**Direction:** East

**Current Base Zoning:** “C-1 CD” Light Commercial District with Conditional Use for Auto Recovery

**Current Land Uses:** Auto Recovery Service

**Direction:** South

**Current Base Zoning:** “R-20” Residential Single-Family

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** “C-2” Commercial District

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

**Overlay and Special District Information:** The subject property is located within the “NCD-3” Ingram Hills Neighborhood Conservation District. The NCD does not restrict permitted uses, but does mandate certain design requirements and restrictions for development within the community. Any proposed development would have to comply with the Ingram Hills Neighborhood Conservation District design requirements.

**Transportation**

**Thoroughfare:** Callaghan Road

**Existing Character:** Secondary Arterial A, two lanes in each direction with turn lane and sidewalks

**Proposed Changes:** None known

**Thoroughfare:** E Horseshoe Bend

**Existing Character:** Local, one lane in each direction without sidewalks

**Proposed Changes:** None known

**Public Transit:** None

**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:** The use of Motor Vehicle Sales must provide a minimum of one parking space per 500 square feet of gross floor area (GFA) or a maximum of one parking space per 375 square feet of GFA

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the request would result in the subject property retaining its current “C-1” Light Commercial base zoning district.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 located within the Ingram Hills Neighborhood Plan and is currently designated as Community Commercial in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted land use plan, but is conditioning a use permitted by-right in the “C-3” General Commercial district. Staff finds that the use of Motor Vehicle Sales is too intense for the subject property, especially given its Community Commercial land use designation. Community Commercial encourages light commercial uses such as florists, toy stores, and variety stores. As such, staff finds that the request is not consistent with the intent of the future land use plan.

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

Staff has found evidence of likely adverse impacts on neighboring lands in relation to the zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area in that the community is very residential in nature. The Plan encourages commercial development along that portion of Callaghan Road, but of a less intense use.

**3. Suitability as Presently Zoned:**

The current “C-1” Light Commercial base zoning district is appropriate for the surrounding area.

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

Staff has found indication of likely adverse effects on the public health in that the proposed use would be located across the street from several residential uses, as well as a public park. Sales of motor vehicles could introduce negative impacts to the public health, safety, and welfare through vehicle-fluid spills, noise pollution,

and local air quality.

**5. Public Policy:**

The request appears to conflict with the Ingram Hills Neighborhood Plan by introducing a use otherwise permitted in the “C-3” General Commercial base zoning district. “C-3” uses are not permitted within the Community Commercial land use designation in the Ingram Hills Neighborhood Plan.

**6. Size of Tract:**

The 1.073 acre tract is of sufficient size for the proposed development.

**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.