



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-1599

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/18/2016

**Title:** ZONING CASE # Z2016010 CD (Council District 7): An Ordinance amending the Zoning District Boundary from "R-20 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for a Welding Shop on the South 171.58 feet of Lot 118, Block E, NCB 11545 located at 4802 Callaghan Road. Staff recommends Denial. Zoning Commission recommends Approval with Conditions. (Continued from January 28, 2016)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-010 Location Map, 2. Z216010 CD site plan, 3. Z2016010 CD Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2016-02-18-0142

Date	Ver.	Action By	Action	Result
2/18/2016	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2016010 CD

**SUMMARY:**

**Current Zoning:** "R-20 AHOD" Residential Single-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 1, 2015. This case is continued from the November 17, 2015 hearing.

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** José and Clementina Torres

**Applicant:** José and Clementina Torres

**Representative:** José and Clementina Torres

**Location:** 4802 Callaghan Road

**Legal Description:** South 171.58 Feet of Lot 118, Block E, NCB 11545

**Total Acreage:** 1.0665

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Registered Neighborhood Associations within 200 feet:** Woodland Hills / Ingram Hills

**Planning Team:** West/Southwest Sector Team - 34

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City Limits on September 25, 1952 and was originally zoned "A" Single-Family District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "R-5" Residential Single-Family District. On 6/13/2002 the property was rezoned to "R-20" Residential Single-Family District.

**Topography:** Portion of the Property is within the 100 year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** West, North

**Current Base Zoning:** I-1, C-2, C-3, C-3 NA, & R-20 NCD-3

**Current Land Uses:** Vacant Land, Blue Bell Creamery, Auto Shop, Single-Family Homes, & Drainage ROW.

**Direction:** East, South

**Current Base Zoning:** C-3, O-1 R-5, C-3R, & R-20 NCD-3

**Current Land Uses:** Vacant Land, Drainage ROW & Single-Family Homes

**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:** Callahan Road

**Existing Character:** Secondary Arterial Type A 86'

**Proposed Changes:** None known

**Thoroughfare:** Woodside Drive

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** No VIA transit routes nearby the subject property.

**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:** Welding Shop - limited to three (3) employees: Minimum vehicle parking spaces 1 per 1500 sf. GFA. Maximum vehicle parking spaces 1 per 300 sf. GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission recommends Approval (8-2) with the addition of “NA” Nonalcoholic Sales designation and with site 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. The requested “C-2” base zoning districts is appropriate for the subject property. However, the request for a welding shop is an industrial use not appropriate adjacent to an established residential neighborhood.

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

Staff has found evidence of likely adverse impacts on surrounding properties.

**3. Suitability as Presently Zoned:**

The proposed rezoning to “C-2” base zoning districts is appropriate for the subject property. The subject property location, next to a residential neighborhood, makes it inappropriate for the “C-2 CD” conditional use for a welding shop. The development of the subject property with these zoning districts fails to contribute toward the West / Southwest Sector Plan vision of compatibility by significantly altering the existing development pattern and purpose of the plan.

**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 1.0665 acres in size, which accommodates the proposed development with adequate space for 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 the zoning with Conditional Use shall only be for the zoning case named in the ordinance approving the Zoning District with the specified Conditional Use provisions. In this particular instance, the applicant is utilizing the Conditional Use zoning tool to condition a use that normally requires Specific Use Authorization in “C-3” General Commercial and “L” Light Industrial.

Staff recommends the following conditions, to minimize the impact, if the Conditional Use is approved:

1. No outside storage.
2. Solid screen fencing along the perimeter of the rear yard.