



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-6356

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/7/2017

**Title:** ZONING CASE # Z2017298 S (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for Auto Paint and Body Shop – Repair with Outside Storage of Vehicles and Parts Permitted but Totally Screened from View of Adjacent Property Owners and Public Roadways on 2.942 acres out of NCB 11715, located at 9631 San Pedro Avenue. Staff and Zoning Commission recommend Approval with Conditions, pending Plan Amendment. (Associated Plan Amendment 18002)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Field Notes, 6. Ordinance 2017-12-07-0946

Date	Ver.	Action By	Action	Result
12/7/2017	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017298 S  
(Associated Plan Amendment 18002)

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for Auto Paint and Body Shop - Repair with Outside Storage of Vehicles and Parts Permitted but Totally Screened from View of Adjacent Property Owners and Public Roadways

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 7, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** 9207 San Pedro, LTD

**Applicant:** 9207 San Pedro, Ltd

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

**Location:** 9631 San Pedro Avenue

**Legal Description:** 2.942 acres out of NCB 11715

**Total Acreage:** 2.942

**Notices Mailed**

**Owners of Property within 200 feet:** 10

**Registered Neighborhood Associations within 200 feet:** Greater Harmony Hills

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1952 and was originally zoned "A" Single-Family District. A later case rezoned a portion of the property to "B-2" Business District. The remaining portion of the property was rezoned "B-3" Business District as a result of Ordinance 44533, dated October 31, 1974 and Ordinance 56052, dated October 28, 1982. Upon the adoption of the 2001 Unified Development Code, the previous zoning districts converted to the current "C-2" Commercial District and "C-3" General Commercial District.

**Topography:** The property is located within the Edwards Aquifer Transition Zone.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-5, C-2, C-2, C-3

**Current Land Uses:** Single-Family Residential, Retail Center

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Car Dealership Vehicle Storage Parking Lot, Pool Equipment

**Direction:** South

**Current Base Zoning:** C-2, C-3

**Current Land Uses:** Retail Strip, North Park Mazada

**Direction:** West

**Current Base Zoning:** MF-33, R-5

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

**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:** Lorene  
**Existing Character:** Local Road  
**Proposed Changes:** None Known

**Thoroughfare:** McCarty Road  
**Existing Character:** Local Road  
**Proposed Changes:** None Known

**Thoroughfare:** San Pedro Avenue  
**Existing Character:** Primary Arterial  
**Proposed Changes:** None Known

**Public Transit:** VIA route 502 and 607 are within walking distance from the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. The traffic generated by the proposed development exceeds the threshold requirements.

**Parking Information:** Auto Paint and Body- Minimum vehicle space: 1 per 500 sf GFA including service bays, wash tunnels, and retail areas. Maximum vehicle space: 1 per 375 sf 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 base zoning district. “C-2” Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining. “C-3” General Commercial districts are intended to provide for more intensive commercial uses than those located within the “NC”, “C-1” or “C-2” zoning districts. “C-3” uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**  
None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The Property is within the Greater Area Airport Regional Center and is within the San Pedro Metro Premium Plus route.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval, pending Plan Amendment.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is located within the San Antonio International Airport Vicinity Plan, and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-3” General Commercial base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to change the future land use from “Community Commercial” to “Regional Center”. Staff recommends Approval, pending Planning Commission.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant proposes to rezone the property to allow for auto paint and body for the existing North Park Subaru Dealership and Collision Center.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is appropriate for the subject property’s location. The surrounding area consists of “C-3” uses and would not be out of character and it allows expansion of a long time use in the area.

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

**6. Size of Tract:**

The subject property totals 3.113 acres in size, which reasonably accommodates the uses permitted in “C-3” General Commercial District.

**7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but with may, under the right set of circumstances and conditions be acceptable in certain specific locations.

Staff and Zoning Commission recommend Approval with the following conditions:

1. No outdoor speakers or voice amplification systems shall be permitted on the property except those required by law or necessary for emergency and/or safety purposes.

2. Outside storage of parts and vehicles to be repaired must be screened using sufficient materials (opaque fencing, walls, and/or landscaping) of sufficient height and size to be totally screened from view from adjacent property and public roadways.

