



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1581

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/5/2018

**Title:** ZONING CASE # Z2018063 CD (Council District 6): An Ordinance amending the Zoning District Boundary from "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales on Lot 3 and Lot 4, Block 4, NCB 13955, located at 1932 South Callaghan Road and 1934 South Callaghan Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance

Date	Ver.	Action By	Action	Result
4/5/2018	1	City Council A Session	Motion to Deny	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z2018063 CD

**SUMMARY:**

**Current Zoning:** "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2018. This case has been expedited to the February 15, 2018 City Council Hearing due to the cancellation of the January 16 Zoning Commission Meeting.

**Case Manager:** Nylih Acosta, Planner

**Property Owner:** Luis Esquivel

**Applicant:** Russell Felan

**Representative:** Russell Felan

**Location:** 1932 South Callaghan Road and 1934 South Callaghan Road

**Legal Description:** Lot 3 and Lot 4, Block 4, NCB 13955

**Total Acreage:** 0.240

**Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** Cable Westwood

**Applicable Agencies:** Lackland, Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1966 and was zoned "R-A" Residence-Agriculture district. A later case rezoned the property "B-2 NA" Business Nonalcoholic Sales District. Upon the adoption of the 2001 Unified Development Code the previous "B-2 NA" converted to the current "C-2 NA" Commercial Nonalcoholic Sales District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6, C-2 NA, C-3 R

**Current Land Uses:** Vacant Lot, Single-Family Residences, Dollar General

**Direction:** East

**Current Base Zoning:** R-6

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

**Direction:** South

**Current Base Zoning:** R-6, C-2 NA

**Current Land Uses:** Vacant Lot, Single-Family Residences

**Direction:** West

**Current Base Zoning:** C-3 R, I-1

**Current Land Uses:** Darner Park Headquarters Park

**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:** South Callaghan Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Dabney Lane

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA route 76 and 276 are within walking distance from the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Auto Sales: Minimum Parking Spaces- 1 per 500 sf of sales and service building.  
Maximum Parking Spaces- 1 per 375 sf of sales and service building

**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-2NA” districts are identical to “C-2” districts except that the sale of alcoholic beverages is prohibited.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center or a Premium Transit Corridor.

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

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

**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 property owner proposes to construct a new 300 square foot office, and a 7613 square foot asphalt drive to use the property for Motor Vehicle Sales.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the subject property’s location. The request will not change the base zoning and conditions may be added for additional regulation.

**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 0.240 acres in size, which reasonably accommodates the uses permitted in “C-2” Commercial District.

**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.

The subject property is located within the Lackland Notification Area. In accordance with the signed Memorandum of Understanding between Joint Base San Antonio (JBSA) and the City of San Antonio, the Military was notified of the request.