



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-3014

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 5/17/2018

**Title:** ZONING CASE # Z2018148 CD (Council District 7): Ordinance amending the Zoning District Boundary from "C-3 R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Auto Paint and Body on Lot 23, Block 10, NCB 15038, located at 6210 N.W. Loop 410. 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
5/17/2018	1	City Council A Session	Motion to Cont/Post	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018148 CD

**SUMMARY:**

**Current Zoning:** "C-3 R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Paint and Body

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 17, 2018

**Case Manager:** Angela Cardona, Planner

**Property Owner:** Roo Realty LP, LC2 Realty LLC, and RGC Realty LLC

**Applicant:** Mario Ruiz

**Representative:** Fernando P. Ramirez

**Location:** 6210 N.W. Loop 410

**Legal Description:** Lot 23, Block 10, NCB 15038

**Total Acreage:** 0.787 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 11

**Registered Neighborhood Associations within 200 feet:** Thunderbird Hills Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed on August 12, 1971 (Ordinance 39659) and was zoned "B-2" Business District. The property was then zoned to "B-3R" Restrictive Business District on October 12, 1982 (Ordinance 56206) which converted to the current "C-3R" General Commercial Restrictive Alcohol Sales upon the adoption of the Unified Development Code on May 3, 2001 (Ordinance 93881).

**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:** "C-3"

**Current Land Uses:** Furniture Store

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Furniture Store

**Direction:** East

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

**Current Land Uses:** Furniture Store, Church, Single- Family Residences

**Direction:** West

**Current Base Zoning:** "C-2", Right-of-Way

**Current Land Uses:** Furniture Store

**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:** Northwest Loop 410

**Existing Character:** Interstate Highway

**Proposed Changes:** None Known.

**Thoroughfare:** Wigwam Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known.

**Public Transit:** The nearest VIA bus route is the #550 and #607 and are within walking distance of the subject property.

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

**Parking Information:** Parking requirements are determined by use: Commercial uses require a minimum vehicle space of 1.5 per 300 GFA and a maximum of 1 per 200 GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The current “C-3” district is 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. C-3R districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center but falls within the Looper Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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/Southwest Sector Plan and is currently designated as “General Urban Tier”. The request for “C-2” base zoning district is consistent with the adopted future land use plan.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request as the existing business will continue. The proposed rezoning is a down zone of “C-3” General Commercial to a base of “C-2” Commercial with a Conditional use for added regulations.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is appropriate for the surrounding area. The majority of surrounding property is commercial.

**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 land use goals and strategies of the West/Southwest Plan Goal to stimulate and support increase activity of existing business.

**6. Size of Tract:**

The subject property totals 0.787 acres in size, which should reasonably accommodate the uses permitted in “C-2” Commercial base zoning 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 applicant is requesting Conditional Use for Auto Paint and Body.