



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4301

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/2/2018

**Title:** ZONING CASE # Z2018192 (Council District 5): Ordinance amending the Zoning District Boundary from "C-2 NA CD AHOD" Commercial Non-Alcoholic Sales Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales to "C-2 NA CD AHOD" Commercial Non-Alcoholic Sales Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service) on Lot 108, NCB 7895, located at 5407 Interstate Highway 35 South. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2018-08-02-0592

Date	Ver.	Action By	Action	Result
8/2/2018	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018192

**SUMMARY:**

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

**Requested Zoning:** "C-2 NA CD AHOD" Commercial Non-Alcoholic Sales Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 3, 2018. This case is continued from the June 5, 2018 Zoning hearing.

**Case Manager:** Angela Cardona, Planner

**Property Owner:** Mosquit Holdings LLC

**Applicant:** Robert Raney

**Representative:** Robert Raney

**Location:** 5407 Interstate Highway 35 South

**Legal Description:** Lot 108, NCB 7895

**Total Acreage:** 1.46

**Notices Mailed**

**Owners of Property within 200 feet:** 19

**Registered Neighborhood Associations within 200 feet:** Tierra Linda Neighborhood Association

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed in September, 1944 (Ordinance 1391) and was zoned “B” Residence District. The property was then converted to “R-4” Residential Single Family District upon adoption of the Unified Development Code in May, 2001 (Ordinance 93881). A portion of the property was rezoned in August, 2007 to “C-1” Light Commercial (Ordinance 2007-08-16-0885). The entire property was then rezoned to the current “C-2 NA CD” Commercial Non-Alcoholic Sales with a Conditional Use for Motor Vehicle Sales in June, 2012 (Ordinance 2012-06-21-0532).

**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-4”

**Current Land Uses:** Church

**Direction:** South

**Current Base Zoning:** “R-4”

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** Interstate Highway,”C-2”

**Current Land Uses:** Interstate Highway, Car Lot

**Direction:** West

**Current Base Zoning:** “R-4”

**Current Land Uses:** Residential, Elementary School

**Overlay and Special District Information:** The subject property is located within the “AHOD” Airport Hazard Overlay District. The “AHOD” does not restrict permitted uses, but may require additional review by both the Federal Aviation Administration and Development Services Department.

**Transportation**

**Thoroughfare:** Commercial Avenue

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known.

**Thoroughfare:** Stonewall Avenue  
**Existing Character:** Local Street  
**Proposed Changes:** None Known

**Thoroughfare:** Interstate Highway 35 South  
**Existing Character:** Highway  
**Proposed Changes:** None Known.

**Public Transit:** The nearest VIA bus route is the #10 and it is within walking distance of 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:** 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:**

The subject property currently has a Conditional Use for Motor Vehicle Sales, the applicant is seeking “C-3” General Commercial District for future business options including the expansion of services to the existing Auto Sales business.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. The current “C-2” district accommodates 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 and clothing banks, and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**FISCAL IMPACT:**

None.

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

The subject property does not fall within Regional Center and is not within proximity to a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 Nogalitos/ South Zarzamora Plan and is currently designated as “Regional Commercial”. The requested “C-2 NA” base zoning district is consistent with the adopted future land use.

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

Staff finds no evidence of likely adverse impacts on the neighboring land in relation to the zoning change request.

**3. Suitability as Presently Zoned:**

The current “C-2 NA” base zoning district is appropriate for the subject property’s location as it is currently surrounded by single-family residential development and allows for less intense uses that are a more appropriate transition to the surrounding residential community. There are also additional safeguards through the current Conditional Use and the Nonalcoholic Sales designations.

**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 Nogalitos/ North Zarzamora Plan to protect and preserve the character of the neighborhoods and commercial corridors, to preserve the small town feeling of the neighborhood areas by encouraging neighborhood-friendly commercial businesses within walking distance of residences and to support economic development by attracting diverse business.

**6. Size of Tract:**

The subject property totals 1.1460 acres in size, which should reasonably accommodate the “C-2 NA” 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.