



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5652

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/1/2018

**Title:** ZONING CASE # Z2018318 S (Council District 7): Ordinance amending the Zoning District Boundary from "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 & Body Repair on Lot 5, Block 2, NCB 18560, located at 7539 Bandera Road. Staff and Zoning Commission recommend Approval, with Conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2018-11-01-0899

Date	Ver.	Action By	Action	Result
11/1/2018	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018318 S

**SUMMARY:**

**Current Zoning:** "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 & Body Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 2, 2018

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Dos Spanish Cay, LLC

**Applicant:** Dos Spanish Cay, LLC

**Representative:** Patrick W. Christensen

**Location:** 7539 Bandera Road.

**Legal Description:** Lot 5, Block 2, NCB 18560

**Total Acreage:** 3.39

**Notices Mailed**

**Owners of Property within 200 feet:** 18

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1987 and was zoned "I-1" Light Industrial District. A rezoning case rezoned the property to "C-2" Commercial District, and in 2009, ordinance 2009-04-02-0257, rezoned the property again to the current "C-3" General Commercial 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:** I-1, C-3, MF-18

**Current Land Uses:** Party House, Restaurant, Parking Lot

**Direction:** East

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

**Current Land Uses:** Paint and Body Shop, Auto Repair, Retail Center

**Direction:** South

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

**Current Land Uses:** Retail Strip, Valero, Auto Repair, Church, Car Wash,

**Direction:** West

**Current Base Zoning:** I-1

**Current Land Uses:** Storage Units, Vacant Lots

**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:** Bandera Road

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Eckhert Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA routes 88 and 609 are in front of 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:** Minimum: 1 per 500 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-3” 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 subject property is not within a Regional center, but is within close proximity to the Bandera Metro Premium Plus route.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval, with Conditions.

**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 Northwest Community Plan, and is currently designated as “Regional Center” in the future land use component of the plan. The requested “C-3” General 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 request will not change the base zoning, but will add a Specific Use Authorization for Auto Paint and Body with Repair and conditions may be added to the request. There are several auto related uses within close proximity, however, the location of the subject property is not visible from Bandera Road, and is not out of character with industrial uses to the west of the property.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is appropriate for the subject property’s location. The request will not change the base zoning district.

**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 3.339 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.

If the request is approved the following condition is recommended: the hours of operation shall be 7am-6pm.