



City of San Antonio

Legislation Details (With Text)

File #: 21-3005

Type: Zoning Case

In control: City Council A Session

On agenda: 5/6/2021

Title: ZONING CASE Z-2021-10700030 CD (Council District 10): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on Lot 9, Block 51, NCB 17192, located at 3965 Thousand Oaks Drive. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2021-05-06-0323

Date	Ver.	Action By	Action	Result
5/6/2021	1	City Council A Session		

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 10

SUBJECT:

Zoning Case Z-2021-10700030 CD
(Associated Plan Amendment PA-2021-11600009)

SUMMARY:

Current Zoning: "C-2 AHOD" Commercial Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 6, 2021

Case Manager: Justin Malone, Planner

Property Owner: Ron Ray and Micah Ray

Applicant: Montoya Reed Graham

Representative: Montoya Reed Graham

Location: 3965 Thousand Oaks Drive

Legal Description: Lot 9, Block 51, NCB 17192

Total Acreage: 0.2660

Notices Mailed

Owners of Property within 200 feet: 9

Registered Neighborhood Associations within 200 feet: Oak Grove Estates Neighborhood Association

Applicable Agencies: San Antonio International Airport

Property Details

Property History: The property was annexed on December 25,1972 by Ordinance 41430 and was originally zoned "B-2" Business District. The previous zoning district converted to the current "C-2" Commercial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, and dated May 03, 2001.

Topography: The property does not include any abnormal physical features such as slope or incursion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-2"

Current Land Uses: Vacant Land, Day Care Center

Direction: East

Current Base Zoning: "C-2"

Current Land Uses: Gas Station

Direction: South

Current Base Zoning: "BP"

Current Land Uses: Cement Manufacturer

Direction: West

Current Base Zoning: "C-2"

Current Land Uses: Vacant Land, Car Wash

Overlay and Special District Information:

"AHOD"

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.

Thoroughfare: Thousand Oaks

Existing Character: Arterial

Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.

Routes Served: 502

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: The minimum parking requirements for motor vehicle sales new and used- small scale (no more than 15 vehicles currently licensed and in running condition on-site at any given time for storage and/or sale) is 1 per 500 sf GFA of sales and service building.

ISSUE:

None.

ALTERNATIVES:

Current: “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

Proposed: “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.

The “CD” Conditional Use will allow all “C-2” uses in addition to Motor Vehicle Sales.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is located not located within a regional center and nor is it within a premium transit corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (8-1 with 1 vote abstained) recommend Approval.

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

1. Consistency:

The subject property is located within the San Antonio International Airport Vicinity Land Use Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to a “Community Commercial” land use. Staff and the Planning Commission recommend Approval.

2. Adverse Impacts on Neighboring Lands:

Staff did not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The existing “C-2” Commercial District is consistent with neighboring properties. The base district will remain “C-2” Commercial District. The “CD” Conditional Use allows consideration of Motor Vehicle Sales. The applicant is limiting their inventory to five (5) vehicles on the submitted site plan.

3. Suitability as Presently Zoned:

The current "C-2" Commercial District is appropriate for the property and surrounding area. The requested “C-2 CD” base zoning district with Conditional Use for Motor Vehicle Sales is consistent and compatible with existing and surrounding zoning and uses.

4. Health, Safety and Welfare:

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

5. Public Policy:

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the San Antonio International Airport Vicinity Land Use Plan:

Plan Goals:

- Goal IV: Develop a comprehensive set of development applications and incentives to implement the land use plan and continue noise attenuation efforts.
 - Objective 4.4: Support commercial redevelopment through comprehensive rezoning and incentive zoning

6. Size of Tract:

The subject property is 0.2660 acres, which could reasonably accommodate commercial uses and the sale of 5 motor vehicles.

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 existing use is a commercial multitenant building with current uses of a barbershop, butcher shop, and retail. The existing parking lot is to be shared with the existing businesses within the building. The requested zoning change will not impact the existing businesses but will also allow for the sale of five (5) motor vehicles.

The current parking lot has 15 parking spaces, including 1 handicapped parking space. With 5 parking spaces permanently being utilized for the motor vehicle sales and 1 parking space minimum for each existing business (massage studio, tobacco retail, beauty barber shop, butcher shop, and auto sales), there are still 5 remaining parking spaces (including 1 handicapped space) for additional visitors to the retail building.