



# City of San Antonio

## Agenda Memorandum

**File Number:**17-2161

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**Agenda Item Number:** 8.

**Agenda Date:** 3/21/2017

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2017077 CD

(Associated Plan Amendment 17027)

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 21, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Donald C Hild & Brenda L Hild

**Applicant:** Brenda Hild

**Representative:** Russel W. Hild

**Location:** 7119 New Laredo Hwy and 3618 SW Military Drive

**Legal Description:** 0.386 acres out of NCB 11254 and the South 140 Feet of the North 160 Feet of Lots 18 & 19, Block 1, NCB 11254

**Total Acreage:** 1.0292

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** Quintana Community Association

**Applicable Agencies:** Lackland

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1952 and was previously zoned "JJ" Commercial District and "B" Residence District. A 1998 case rezoned a portion of the subject property as "B-3NA" Business Non-Alcoholic Sales District. Later in 2001 Ordinance 93308 rezoned the entire property "B-2" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2" 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:** C-3

**Current Land Uses:** Retail, Restaurant, Used Car Lot, Auto Parts, Corner Grocer, and Rental Car

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Mobile Home Park, Auto Paint Body Shop, and Vacant Lots

**Direction:** South

**Current Base Zoning:** C-2, and MF-33

**Current Land Uses:** Auto Repair and Apartments

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Bank

### **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:** Southwest Military Drive

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** New Laredo Highway

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA route 524 is in front of the subject property facing SW Military Drive.

**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 and Vehicle Sales- Minimum vehicle spaces: 1 per 500 sf GFA of sales and

service building. Maximum vehicle spaces: 1 per 375 GFA 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.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Rural Estate Tier in the future land use component of the plan. The requested “C-2” Commercial base zoning district is not consistent with the future land use designation. The applicant has requested a plan amendment to change the land use from Rural Estate Tier to Suburban Tier. Staff and Planning Commission recommend Approval.

**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 applicant requests this zoning change in order to operate a used car dealership. The surrounding area is commercially developed and the proposed “C-2 CD” would be in keeping with the current pattern of development.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the subject property’s location. The request will maintain the current base zoning district, and will add the conditional use for Motor Vehicle Sales. The current “C-2” is appropriate for this area, because it faces the intersection of a primary and secondary arterial surrounded by commercial uses.

**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 1.0292 acres in size, which should reasonably accommodate the uses permitted in “C-2” Commercial District.

**7. Other Factors:**

The subject property is located within the Joint Base Awareness Zone / Military Influence Area. In accordance with the signed Memorandum of Understanding between Joint Base San Antonio and the City of San Antonio, the Military reviewed the request and recommends the developer of the property to consider the following:

- a. Property existed as a car resale lot from 1973-2014. The rezoning of this parcel from C-2 to C-2 conditional use in order to reopen a car resale does not present any encroachment issues.
- b. Any new construction will need to be reevaluated for obstacle obstructions.
- c. Property is not in the Kelly Field APZ (MOAZ) and not in the Clear Zone; however the property does fall between 65-69 dB noise contours. Recommend sound attenuations be added to the facility if noise is a concern.

The items presented above are in effort to enhance the safety of the community and minimize noise impacts due to the proximity of low flying aircraft. Improperly managed development may create unnecessary risk to the community and flight operations and impact the overall capability of the military at this location.