



# City of San Antonio

## Agenda Memorandum

**File Number:** 17-2903

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**Agenda Item Number:** Z-18

**Agenda Date:** 5/18/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Zoning Case Z2017107 S

**SUMMARY:**

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

**Requested Zoning:** "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for an Auto Paint and Body Shop

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 18, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Asheer Properties LLC/Rami Kotel Director, C/O Endura Advisory Group

**Applicant:** David Gomez

**Representative:** David Gomez

**Location:** 955 East Bitters Road

**Legal Description:** 0.641 acres out of Lot 5, NCB 12060

**Total Acreage:** 0.641

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** Blue Ridge Estates

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 25, 1952 (Ordinance #18115). The current "C-3R" resulted from the zoning district conversion that accompanied the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001); this "C-3R" converted from the previous "B-3R" Restrictive Business District, which was established by Ordinance 62594, dated March 27, 1986.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-2

**Current Land Uses:** Business Center

**Direction:** East

**Current Base Zoning:** RE

**Current Land Uses:** Vacant lot, Shed

**Direction:** South

**Current Base Zoning:** MF-33, RM-4

**Current Land Uses:** Apartment Complex and Single-Family Residential

**Direction:** West

**Current Base Zoning:** C-2, C-3

**Current Land Uses:** Car Wash, Retail Center, and Walgreens

**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:** U.S. 281

**Existing Character:** Freeway

**Proposed Changes:** None

**Thoroughfare:** Bitters Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus stop is #92943 and 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:** Auto Paint and Body Shop requires a minimum of 1 per 500 sq. ft. of the Gross Floor Area and a maximum of 1 per 375 sq. ft. of the Gross Floor Area, including service bays, wash tunnels and retail areas.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 North Sector Plan, and is currently designated as Regional Center in the future land use component of the plan. The requested base zoning district of “C-3” 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.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is appropriate for the surrounding area. The surrounding property is zoned “C-3”, “C-2”, “MF-33”, and “RE”.

**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 request does not appear to conflict with any public policy objective because it has consistent uses surrounding the property.

**6. Size of Tract:**

The subject property measures 0.641 acres which should reasonably accommodate the uses permitted in "C-3 S" 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 which may under the right set of circumstances and conditions be acceptable in certain specific locations.