



# City of San Antonio

## Agenda Memorandum

**File Number:**17-5743

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**Agenda Item Number:** 10.

**Agenda Date:** 10/17/2017

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2017267 CD

(Associated Plan Amendment 17079)

**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 Auto Sales (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 17, 2017. This case is continued from the October 3, 2017 Zoning meeting.

**Case Manager:** Erica Greene, Planner

**Property Owner:** Eleazar Martinez

**Applicant:** Russell D. Felan

**Representative:** Russell D. Felan

**Location:** 3830 Southwest Military Drive

**Legal Description:** Lot 9, Block 3, NCB 11257

**Total Acreage:** 0.954

**Notices Mailed**

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

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

**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1944 and was previously zoned "B" Residence District. A 1999 case, Ordinance #90280 zoned the subject property as "B-2NA" Business Non-Alcoholic Sales District. A 2001 case, Ordinance #93308 zoned the subject property as "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-2

**Current Land Uses:** Duplex

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Vacant Lot

**Direction:** South

**Current Base Zoning:** RM-4

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** C&M Motel

**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:** SW Military Drive

**Existing Character:** Major Arterial

**Proposed Changes:** None

**Public Transit:** VIA bus route #515 is within walking distance 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:** Auto: Motor Vehicle Sales requires a minimum of 1 per 500 sf GFA of sales and service building and a maximum of 1 per 375 sf GFA of sales and service building.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning district. The current zoning of “C-2” allows 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.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center. The subject property is located within a half mile of a Premium Transit Corridor.

**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 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 requested zoning change for Motor Vehicle Sales blends in with the surrounding commercially zoned properties in the area.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the subject property’s location. The requested commercial zoning with a Conditional Use for Motor Vehicles Sales is consistent for the area. The subject property is surrounded by commercial development that can support the proposed zoning.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The surrounding land uses include several commercial properties.

**5. Public Policy:**

The rezoning request does not appear to conflict with the land use goals and strategies of the West/Southwest Sector plan as it supports compatible economic development along major transportation corridors.

**6. Size of Tract:**

The subject property totals 0.954 acres in size, which should reasonably accommodate the uses permitted in “C-2 CD” Commercial District with Conditional Use for Motor Vehicle Sales.

**7. Other Factors:**

The purpose of the Conditional Use 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.

The applicant requests this zoning change to develop this lot for Auto Sales that includes full service and repair. The subject property is a vacant lot that is surrounded by other commercial development and other underutilized lots.