



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1020

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**Agenda Item Number:** 22.

**Agenda Date:** 12/19/2017

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018027 CD

**SUMMARY:**

**Current Zoning:** "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for a Contractor Facility

**Requested Zoning:** "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Auto Sales/Full Service

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 19, 2017

**Case Manager:** Angela Cardona, Planner

**Property Owner:** Noe Ignacio Lopez

**Applicant:** David Cruz

**Representative:** David Cruz

**Location:** 2803 Castroville Road.

**Legal Description:** 0.4077 acres out of NCB 8593

**Total Acreage:** 0.4077 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Westwood Square Neighborhood Association.

**Applicable Agencies:** None.

### **Property Details**

**Property History:** The subject property was annexed on September 25, 1952 and was zoned “B” Residential District. The property was rezoned to “B-3R” Restrictive Business District on May 28, 1987 (Ordinance 65106). The zoning then converted to “C-3R” General Commercial Restrictive Alcoholic Sales District upon adoption of the 2001 Unified Development Code. On December 6, 2007, the property was rezoned to the current “C-2 NA CD” Commercial Nonalcoholic Sales District with Conditional Use for a Contractor Facility (Ordinance 2007-12-06-1283).

**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:** “R-6”

**Current Land Uses:** Elementary School, Vacant Lot

**Direction:** South

**Current Base Zoning:** “C-3”

**Current Land Uses:** Vacant Lot, Single- Family Residential

**Direction:** East

**Current Base Zoning:** “C-3”

**Current Land Uses:** Insurance Office, Auto Repair

**Direction:** West

**Current Base Zoning:** “C-3”

**Current Land Uses:** Vacant Lot, Vehicle Storage

**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:** Castroville Road

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known

**Thoroughfare:** Jasmine Lane

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** Via route #75 is located within walking distance from the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. Infill Development Zone (IDZ) is exempt from TIA requirement.

**Parking Information:** Parking is determined by use. The request for Auto Sales requires a minimum vehicle

space 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:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The current “C-2” Commercial District accommodates 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 does not fall within a regional center or a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 West/Southwest Sector Plan, and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested uses in a “C-2” 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 as it will provide uses to an otherwise vacant lot.

**3. Suitability as Presently Zoned:**

The current “C-2” base zoning district is appropriate for the surrounding uses, as the area is predominately zoned for more intense general 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 land use goals and strategies of the West Sector Plan as the future land use is currently “General Urban Tier” which accommodates more intense commercial uses.

**6. Size of Tract:**

The subject property is 0.4077 acres which reasonably accommodates uses in the requested “C-2” base zoning districts.

## **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.