



# City of San Antonio

## Agenda Memorandum

**File Number:**20-3345

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**Agenda Item Number:** 25.

**Agenda Date:** 6/2/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z-2020-10700091 CD

**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 (Full Service)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 2, 2020

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Taybeh Investments, Inc.

**Applicant:** John Battiato

**Representative:** John Battiato

**Location:** Generally located in the 5800 block of Randolph Boulevard

**Legal Description:** Lot 42, Block 1, NCB 14952

**Total Acreage:** 1.65

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Randolph

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 39443 dated May 27, 1971 and was zoned "B-2" Business District. The subject property converted from "B-2" Business District to "C-2" Commercial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, 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:** "I-1"

**Current Land Uses:** Wholesale

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** "C-3R"

**Current Land Uses:** Retail

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Commercial

### **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.

### **Transportation**

**Thoroughfare:** Randolph Boulevard

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes within walking distance of the subject property.

**Routes Served:** None.

**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 parking requirement for Motor Vehicle Sales (Full Service) 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 Conditional Use would allow for Motor Vehicle Sales (Full Service) as described in the site plan.

## **FISCAL IMPACT:**

None.

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

The subject property is within the NE I-35 and Loop 410 Regional Center and is not within 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 subject property is not located within any Community, Neighborhood, or Sector Plan therefore a finding of consistency is not required.

### **2. Adverse Impacts on Neighboring Lands:**

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. The properties to the east and west of the subject property are zoned “C-2” and “C-3.”

### **3. Suitability as Presently Zoned:**

The current “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2 CD” maintains the base “C-2” district and the Conditional Use allows consideration of “Motor Vehicle Sales (Full Service)”, a use typically allowed by right in the “C-3” district. The Conditional Use allows the one use in addition to all uses allowed by right in “C-2”. Additionally, the Conditional Use holds the applicant to the submitted site plan and also allows for consideration of Conditions where appropriate such as: restricted temporary signage and/or hours of operation, fencing, landscape buffers and other similar restrictions.

### **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 subject property is not located within any Community, Neighborhood, or Sector Plan therefore a finding of consistency is not required.

**6. Size of Tract:**

The subject property is 1.65, which could reasonably accommodate commercial uses and Motor Vehicle Sales (Full Service).

**7. Other Factors:**

The subject property is located within the Randolph AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

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.