

CASE NO: Z2004146 C

Staff and Zoning Commission Recommendation - City Council

Zoning Commission continuance from July 6, 2004 and July 20, 2004 for Conditional Use

Date: August 26, 2004

Zoning Commission Meeting Date: August 03, 2004

Council District: 6

Ferguson Map: 613 F8

Appeal: No

Applicant:

Hamid Reza Shams

Owner:

Hamid Reza Shams

Zoning Request: From R-6 Residential Single-Family District to C-2 C Commercial District with a Conditional Use for Used Auto Sales

Lot 26, Block 4, NCB 15597

Property Location: 6902 West Military Drive

The northeast corner of West Military Drive and Westfield

Proposal: Used automobile sales with office

Neighborhood Association: Cable Westwood Neighborhood Association and Lackland Terrace Neighborhood Association (within 200 feet)

Neighborhood Plan: None

TIA Statement: A traffic impact analysis is not required

Staff Recommendation:

Denial as requested and approval of C-2 Commercial District. The applicant is currently operating a service station with alcoholic beverages on the southwestern portion of the subject property. The current use was established prior to annexation and has established non-conforming rights. The applicant is requesting a change in zoning to allow the current use and add used automobile sales with an office on the remaining vacant portion of the subject property. Staff recognizes R-6 zoning is inappropriate on the subject property given the current and surrounding uses, but feels C-3 uses are too intense given the proximity to the residential area. The applicant's non-conforming rights will allow the applicant to continue the current use on the subject property and the C-2 zoning will allow a variety of commercial uses more compatible with the residential area.

Zoning Commission Recommendation:

Approval of C-2 C with the following conditions:

1. Exterior lighting fixtures shall not emit a significant amount of fixture total output above a vertical cut-off angle of ninety degrees.
2. A six (6) foot solid screen fence shall be constructed as per City of San Antonio standards and maintained along the east property line.
3. Ingress and egress shall be restricted to Military Drive only.

VOTE

FOR	8
AGAINST	0

CASE MANAGER : Eric Dusza 207-7442

ABSTAIN	1
RECUSAL	0

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ZONING CASE NO. Z2004146 – July 6, 2004

Applicant: Hamid Reza Shams

Zoning Request: “R-6” Residential Single Family District to “C-3” General Commercial District.

Hamid Reza Shams, applicant, stated at this time he would like to request a two-week continuance to meet with the neighborhood association to present his proposal.

Staff stated there were 19 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor and no response from Cable Westwood and Lackland Terrace Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Peel and seconded by Commissioner McAden to recommend a continuance until July 20, 2004.

1. Property is located on Lot 26, Block 4, NCB 15597 at 6902 West Military Drive.
2. There were 19 notices mailed, 1 returned in opposition and 0 in favor.
3. Staff recommends denial as requested and approval of “C-2”.

AYES: Martinez, Grau, Kissling, Dutmer, Dixson, Sherrill, McAden, Avila, Stribling, Peel

NAYS: None

THE MOTION CARRIED

ZONING CASE NO. Z2004146 – July 20, 2004

Applicant: Hamid Reza Shams

Zoning Request: “R-6” Residential Single Family District to “C-3” General Commercial District.

Hamid Reza Shams, 8314 Beauty Oaks, owner, stated he would like to amend his request to “C-2” C. He stated the purpose of requesting this change in zoning to operate a used automobile sales with an office.

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Staff stated there were 19 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor and no response from Cable Westwood Neighborhood Association and Lackland Terrace Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Peel and seconded by Commissioner Dutmer to recommend approval of "C-2" C for a used automobile sales with office.

1. Property is located on Lot 26, Block 4, NCB 15597 at 6902 West Military Drive.
2. There were 19 notices mailed, 1 returned in opposition and 1 in favor.
3. Staff recommends denial as requested and approval of "C-2".

AYES: Martinez, Cardenas-Gamez, Dutmer, Dixson, Stribling, Peel

NAYS: None

THE MOTION CARRIED.

ZONING CASE NO. Z2004146 C – August 3, 2004

Applicant: Hamid Reza Shams

Zoning Request: "R-6" Residential Single Family District to "C-2" C Commercial District with a Conditional Use for a Used Auto Sales.

Hamid Reza Shams, owner stated he would like to request this change in zoning to allow for a Use Auto Sales lot with an office on the subject property. He has met with the surrounding property owners who are in support of this request.

Staff stated there were 19 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and no response from Cable Westwood and Lackland Terrace Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Peel and seconded by Commissioner McAden to recommend approval of "C-2" C with a Conditional Use for a Used Auto Sales.

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1. Property is located on Lot 26, Block 4, NCB 15597 at 6902 West Military Drive.
2. There were 19 notices mailed, 0 returned in opposition and 0 in favor.
3. Staff recommends denial as requested and approval of "C-2"

AYES: Martinez, Dutmer, Dixon, Sherrill, McAden, Avila, Stribling, Peel

NAYS: None

ABSTAIN: Kissling

THE MOTION CARRIED

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.