



City of San Antonio

Agenda Memorandum

Agenda Date: December 17, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:

ZONING CASE Z-2024-10700297 CD

SUMMARY:

Current Zoning: “NP-15 AHOD” Neighborhood Preservation Airport Hazard Overlay District

Requested Zoning: “C-2 CD AHOD” Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 17, 2024

Case Manager: Eradio Gomez, Zoning Senior Planner

Property Owner: Rick D. Bendele, Sandra G. Loyd, Tammy A. Waite

Applicant: 5B Property Group, LLC

Representative: Ortiz McKnight, PLLC (c/o Matthew Gilbert)

Location: 11709 and 11785 Donop Road

Legal Description: Lot P-155G and Lot P-155A, CB 4007

Total Acreage: 5 acres

Notices Mailed

Owners of Property within 200 feet: 13

Registered Neighborhood Associations and Community Organizations within 200 feet: NA

City-Wide Community Organizations: T.H.U.G.G.I.N. for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous

Applicable Agencies: Texas Department of Transportation

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 2014-01-09-0001, dated January 8, 2014. The property was rezoned by Ordinance 2014-01-09-0010, dated October 9, 2003, to "NP-15" Neighborhood Preservation District.

Code & Permitting History:

There is no code enforcement or permitting history for the subject property.

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: OCL

Current Land Uses: Used Car Dealer, Mobile Home Park, Recycling Center

Direction: South

Current Base Zoning: "NP-15", OCL

Current Land Uses: Single-Family Residential

Direction: East

Current Base Zoning: OCL

Current Land Uses: Single-Family Residential

Direction: West

Current Base Zoning: "L S"

Current Land Uses: Waste Management Service, Custom Home Builder

Overlay District Information:

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Special District Information:

None.

Transportation

Thoroughfare: Donop Road

Existing Character: Local
Proposed Changes: None Known

Thoroughfare: South U.S. Hwy 181
Existing Character: Secondary Arterial
Proposed Changes: None Known

Public Transit: There is no public transit within walking distance of the subject property.

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: The parking requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

The minimum parking requirement for Auto and Light Truck Repair is 1 per 500 sf GFA including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay.

ISSUE:
None.

ALTERNATIVES:

Current Zoning: “NP-15” Neighborhood Preservation District allows uses that are the same as within the “R-6” zoning district. Designed to protect existing platted subdivisions which are substantially developed with single-family detached dwelling units. (8,000 sq. ft. minimum lot size for NP-8, 10,000 sq. ft. minimum lot size for NP-10, and 15,000 sq. ft. minimum lot size for NP-15).

Proposed Zoning: “C-2 CD” 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 “CD” Conditional Use is for Outdoor Auto and Light Truck Repair.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not within a Regional Center and is not within a ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval, with Conditions.

If Approved, staff recommends the following:

- 1) 8-foot solid screen fence along property line that abuts single-family zoning and/or uses.
- 2) Only one (1) ingress/egress access point from Donop Road.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the Heritage South Sector Plan, adopted in 2010, and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future land use designation.
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. Adjacent properties are “L” Light Industrial District and “NP-15” Neighborhood Preservation District.
3. **Suitability as Presently Zoned:** The existing "NP-15" Neighborhood Preservation District is an appropriate zoning for the property and surrounding area. The proposed "C-2 CD" Commercial District is also appropriate. The proposed zoning would allow for commercial uses with a conditional use for Auto and Light Truck Repair, which is consistent with the established commercial adjacent to the property. The property is located along South US Highway 181, a secondary arterial, which can appropriately accommodate traffic for a commercial use. The applicant will have to adhere to the prescribed site plan required for a Conditional Use. Any deviation from the approved document could potentially warrant additional council consideration.
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 request does not appear to conflict with any public policy. Relevant Goals and Policies of the Comprehensive Plan may include:
 - GCF P5: Invest in needed amenities and infrastructure that will facilitate higher-density development in the city’s priority growth areas.Relevant Goals and Objectives of the Heritage South Sector Plan may include:
 - Goal LU-1: Land uses that are compatible with neighboring properties that preserve natural and cultural resources, neighborhood character, and economic viability.
 - Goal LU-2: Design guidelines for non-residential uses to encourage compatibility of adjacent properties.
 - Goal LU 3: Urban, commercial, and rural development are concentrated in strategic areas supported by targeted public and private investments.
 - Goal LU-5: A community that applies sustainable development patterns and principles.
6. **Size of Tract:** The subject property is 5 acres, which can reasonably accommodate the proposed commercial development.

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.

The Conditional Use is for Auto and Light Truck Repair.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, the Office of Historic Preservation has not received an application for demolition at this address and a demolition application with OHP will be required if demolition is a listed scope of work.

State Highway 181 is a TxDot Highway and will likely only allow one (1) access point to the property from Highway 181.