



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 19, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**

ZONING CASE Z-2023-10700291 CD  
(Associated Plan Amendment Case PA-2023-11600074)

**SUMMARY:**

**Current Zoning:** "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Office Warehouse (Flex Space)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 19th, 2023

**Case Manager:** Joseph Leos, Zoning Planner

**Property Owner:** SGRE, LLC

**Applicant:** Odilon Bernal III

**Representative:** Odilon Bernal III

**Location:** 4600 block of North Stahl Park.

**Legal Description:** Lot 9, Block 5, NCB 17762

**Total Acreage:** 1.291

### **Notices Mailed**

**Owners of Property within 200 feet: 26**

**Registered Neighborhood Associations within 200 feet: Pepperridge**

**Applicable Agencies: Aviation, Planning Department**

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 61622, dated December 29, 1985, and originally zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 86309, dated July 24, 1997, to "B-2NA" Nonalcoholic Sales Business District. With the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2NA" Nonalcoholic Sales Business District converted to the current "C-2NA" Commercial Nonalcoholic Sales District.

### **Code & Permitting Details:**

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 incursion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction: North**

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

**Current Land Uses: Storage**

**Direction: East**

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

**Current Land Uses: Batting Cage**

**Direction: South**

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

**Current Land Uses: Single Family Dwelling**

**Direction: West**

**Current Base Zoning: "C-2NA CD" With a Conditional use for Office Space Warehouse (Flex Space)**

**Current Land Uses: Warehouse**

### **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:** North Stahl Park

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Higgins Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

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

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for Office Warehouse (Flex Space) is 1 per 2,000 sf GFA. The maximum parking requirement for Office Warehouse (Flex Space) is 1 per 200 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “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.

“C-2NA” Commercial Nonalcoholic districts are identical to “C-2” districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: “C-2NA” Commercial Nonalcoholic districts are identical to “C-2” districts except that the sale of alcoholic beverages is prohibited.

The “CD” Conditional Use will allow an Office Warehouse.

**FISCAL IMPACT:**

None.

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

Subject property is not located within the Regional Center and is not within ½ a mile from the 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 approval criteria below.**

1. **Consistency:** The subject property is located within the San Antonio International Airport Vicinity Land Use Plan adopted in 2010 and is currently designated as "Neighborhood Commercial" in the future land use component of the plan. The requested "C-2NA" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Community Commercial." Staff recommends Approval. The Planning Commission recommendation is pending the January 10, 2024 hearing.
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.
3. **Suitability as Presently Zoned:** The current "C-2NA" Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The proposed "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Office Warehouse (Flex Space) is also appropriate. The property is adequately sized to accommodate the proposed development as well as the applicable landscape buffers and setbacks. Additionally, the "CD" Conditional Use requires that the development be held to a site plan that will address different aspects like the layout of the buildings, the orientation of the parking, and the ingress/egress.
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 objective. Relevant Goals and Policies of the Comprehensive Plan may include:
  - a. GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - b. GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
  - c. GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.Relevant Themes and Objectives of the SA International Airport Vicinity Plan may include:
  - d. Key Theme 7 - Encouraging compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes.
  - e. Objective 2.2: Encourage commercial development that respects the integrity of existing residential development.
  - f. Objective 2.3: Redevelop major commercial corridors to serve the needs of the airport neighborhoods and patrons.

6. **Size of Tract:** The 1.291-acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to rezone to "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Office Warehouse (Flex Space) to permit the development of office space with a merchandise storage component.

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.