



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 16, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**  
ZONING CASE Z-2022-10700100

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District, "C-2 MC-3 MLOD-3 MLR-2 AHOD" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District and "C-2 MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District

**Requested Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District, "C-3 MC-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District and "C-3 MC-3 AHOD" General Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2022

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** Invest 7, LLC

**Applicant:** Charles Christian

**Representative:** Charles Christian

**Location:** 1533 Austin Highway

**Legal Description:** Lot 8, NCB 8712

**Total Acreage:** 5.4840 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 8

**Registered Neighborhood Associations within 200 feet:** Wilshire Neighborhood Association and Oakwell Farms Homeowners Association

**Applicable Agencies:** Planning Department, San Antonio International Airport, Martindale Airfield, and Fort Sam Houston

**Property Details**

**Property History:**

The subject property is currently zoned “C-2 MC-3 MLOD-3 MLR-2 AHOD” Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District and “C-2 MC-3 AHOD” Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District. The property was annexed into the City of San Antonio by Ordinance 18115 dated September 24, 1952, and zoned Temporary “A” Single-Family Residence District. The property was rezoned by Ordinance 22,237 dated January 26, 1956, to “F” Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “F” Local Retail District converted to the current “C-2” Commercial District.

**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-5"

**Current Land Uses:** Cemetary

**Direction:** South

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

**Current Land Uses:** Commercial

**Direction:** East

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

**Current Land Uses:** Commercial

**Direction:** West

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

**Current Land Uses:** Commercial

### **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. The "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor provides site and building design standards for properties located along the two corridors. Metropolitan Corridors follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city. A zoning review is performed by the Zoning Section of the Development Services Department. The "MLOD-3" Martindale Army Airfield Military Lighting Overlay District does not restrict permitted uses but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

**Special District Information:** None.

### **Transportation**

**Thoroughfare:** Austin Highway

**Existing Character:** Principal Primary Arterial A

**Proposed Changes:** Harry Wurzbach Road /Austin Highway Connectors -- Leverage funding to construct two traffic ramps at Harry Wurzbach/Austin Highway. Project design and initial construction was funded through the City of San Antonio and Texas Department of Transportation.

**Thoroughfare:** Harry Wurzbach

**Existing Character:** Principal

**Proposed Changes:** None Known

**Thoroughfare:** Eisenhower Road

**Existing Character:** Minor Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 14, 214, 505, 509, 647

**Traffic Impact:** Preliminary Review Only– Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\*

A TIA Report is Not Required.

**Parking Information:** The minimum parking requirement is 1.5 spaces per 1000 square feet of gross floor area.

**ISSUE:** None.

**ALTERNATIVES:**

**Current Zoning:** “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

**Proposed Zoning:** “C-3” General Commercial districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. Overlay district that establishes regulations for outdoor lighting impacting military operations within five (5) miles of the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, Lackland Air Force Base and Martindale Army Airfield. Overlay district that imposes height restriction near civilian and military airports.

**FISCAL IMPACT:** None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**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 and is currently designated as “Regional Commercial” in the future land use component of the plan. The requested base zoning of “C-3” 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 commercial development pattern of the surrounding area as properties immediately surrounding the site to the west, east, and south are zoned “C-3” General Commercial.
3. **Suitability as Presently Zoned:** The current “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-3” General Commercial District is also appropriate for this property as it is consistent with similar high intensity commercial uses established in the area. Additionally, the proposed “C-3” General Commercial is suitable along Austin Highway a Primary Arterial roadway.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** This request does appear to conflict with the policy objectives of the San Antonio International Airport Community Plan:
  - Goal II: Encourage economic growth that enhances airport operations and surrounding development
  - Objective 4.4: Support commercial redevelopment through comprehensive rezoning and incentive zoning.

Land Use Plan Theme 7: Encouraging compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes.

Land Use Plan Theme 10: Encourage redevelopment of Austin Highway, Perrin Beitel, Walzem, and West Avenue corridors

6. **Size of Tract:** The subject property is 5.4840 Acres and can reasonably accommodate the existing commercial development.
7. **Other Factors:** The property has recently been acquired and the owner is interested in leasing the property as an event center, laundry mat, and a retail center.