



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 2, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2022-10700177 CD

**SUMMARY:**

**Current Zoning:** "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District, "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Truck Sales, Service, Maintenance and Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 2, 2022

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** 11670 Interstate Holding Corporation

**Applicant:** Buck Benson

**Representative:** Buck Benson

**Location:** 11670 Interstate Highway 10 East

**Legal Description:** 4.93 acres of NCB 18226

**Total Acreage:** 4.93 Acres

**Notices Mailed****Owners of Property within 200 feet: 4****Registered Neighborhood Associations within 200 feet: NA****Applicable Agencies: Randolph Airforce Base, Planning Department****Property Details****Property History:**

The subject property is currently zoned "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District, "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District. The property was annexed into the City of San Antonio by Ordinance 62545 dated May 11, 1986, and originally zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 70527 to "R-A" Residence Agriculture District, "B-2" Business District, and "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-A" Residence Agriculture District converted to the current "NP-10" Neighborhood Preservation District, the property zoned "B-2" Business District converted to the current "C-2" Commercial District, and the property zoned "I-1" Light Industry District converted to the current "I-1" General Industrial 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: OCL Outside City Limits****Current Land Uses: Vacant****Direction: South****Current Base Zoning: OCL Outside City Limits****Current Land Uses: Vacant, Residential Dwelling****Direction: East****Current Base Zoning: "NP-10" "C-2"****Current Land Uses: Vacant****Direction: West****Current Base Zoning: "C-2" "NP-10"****Current Land Uses: Vacant, Surveying Company****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: N/A.**

**Transportation****Thoroughfare:** Interstate 10**Existing Character:** Interstate**Proposed Changes:** None Known**Public Transit:** There are no VIA bus routes are within walking distance of the subject property.**Routes Served:** NA

**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:** 1 parking space per 500 sf GFA including service bays, wash tunnels and retail areas

**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.

"NP-10" Neighborhood Preservation uses 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)

"I-1" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

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 would permit a truck sales, service, maintenance and storage facility on the property.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center and is not within a ½ mile of the 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 approval criteria below.

1. **Consistency:** The subject property is located within the I-1 East Corridor Perimeter Plan and is currently designated as Urban Living in the future land use component of the plan. The requested "C-2 CD" 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. The property sits along Interstate 10 East, where different commercial and light industrial land use and zoning is located.
3. **Suitability as Presently Zoned:** The current "NP-10" Neighborhood Preservation District is not an appropriate zoning for the property and surrounding area. The current "I-1" General Industrial District is more appropriate for the property, and the proposed "C-2" Commercial District is also appropriate. The proposed "C-2 CD" Commercial District with a Conditional Use for a Truck Sales, Storage, Maintenance and Storage Facility would provide uniform and consistent zoning throughout the property. Additionally, the use has already been established on the property, so the proposed "C-2 CD" base zoning district would bring the existing use into compliance. Additionally, the Conditional Use allows consideration of conditions where necessary.
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 objectives of the IH 10 East Perimeter Plan:
- Goal 3: Compatibility of Land Uses Improve the quality of life and safety of residents of the IH 10 East Perimeter Planning area by addressing incompatible land uses.
  - Goal 4: Improve the Corridor Analyze design standards that can be implanted along the IH 10 East Corridor
6. **Size of Tract:** The subject property is 4.930 Acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors** The applicant intends to rezone to "C-2 CD" Commercial District with a Conditional Use for Truck Sales, Service, Maintenance and Storage to bring an already existing business into compliance.

If zoning is approved, coordination with Texas Department of Transportation would be needed for points of access. Frontage length would only allow one (1) driveway.

The purpose of the Conditional Use is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.