



City of San Antonio

Agenda Memorandum

Agenda Date: June 15, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

ZONING CASE Z-2023-10700083 CD

SUMMARY:

Current Zoning: "C-2 AHOD" Commercial Airport Hazard Overlay District

Requested Zoning: "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional use for Motor Vehicle Sales

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 16, 2023

Case Manager: Elizabeth Steward, Zoning Planner

Property Owner: Donia Enterprises

Applicant: Donia Enterprises

Representative: Ashley Moore

Location: 5509 San Pedro Avenue

Legal Description: Lots 18 and 19, Block 6, NCB 7257

Total Acreage: 0.1785

Notices Mailed**Owners of Property within 200 feet:** 27**Registered Neighborhood Associations within 200 feet:** Northmoor and Olmos Park Terrace Neighborhood Association**Applicable Agencies:** Planning Department**Property Details****Property History:** The property was annexed into the City of San Antonio by Ordinance 1941, dated May 30, 1940 and zoned "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 floodplain.**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** C-2**Current Land Uses:** Motor Vehicle Sales**Direction:** South**Current Base Zoning:** C-2**Current Land Uses:** Motor Vehicle Sales**Direction:** East**Current Base Zoning:** C-2**Current Land Uses:** Food Service Establishment**Direction:** West**Current Base Zoning:** R-4**Current Land Uses:** Residential Dwelling**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:** San Pedro Avenue**Existing Character:** Principal Primary Arterial B**Proposed Changes:** None Known

Public Transit: There is public transit within walking distance of the subject property.
Routes served: 4, 204, 505

Traffic Impact: 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 for a Motor Vehicle Sales is 1 space per 1 per 500 sf GFA of sales and service building.

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.

Proposed Zoning: "C-1 CD" Light Commercial districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The proposed "CD" Conditional Use will allow Motor Vehicle Sales.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center but is located within ½ mile from the San Pedro Avenue 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 North Central Community Plan and is currently designated as "Neighborhood Commercial" in the future land use component of the

plan. The requested “C-1” 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.
3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The requested "C-1 CD" Light Commercial District with Conditional use for Motor Vehicle Sales is also an appropriate zoning district. There currently exists a mix of commercial uses in the surrounding area and along the San Pedro Avenue Corridor. The proposed rezoning reduces the commercial intensity of the zoning district, limiting the use of the property to light commercial activities. The “C-1” Light Commercial District also limits the buildings constructed on the property to 5,000 square feet with an aggregate of 15,000 square feet. The Conditional Use “CD” will allow for the one additional use of Motor Vehicle Sales which is conditioned down from the “C-3” General Commercial District. The Conditional Use also requires a prescribed site plan that will address the layout of the property and prevent expansion of the use. Conditions can also be added to address buffering, fencing, hours of operation and signage if needed.
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 North Central Community Plan.
 - GOAL 1: Support and promote business and employment development along the commercial corridors that provide for a healthy business climate while supporting the needs of the North Central Neighborhoods Community by aesthetically and environmentally reinforcing their community cultural identity and providing an attractive destination for visitors and shoppers from around the city.
 - Objective 1.1: Market San Pedro Avenue and Blanco Road from Hildebrand to Loop 410 as the place to live, work, shop and play with their central location and convenient access to all San Antonio.
 - Objective 3.1: Promote the maintenance of existing properties.
 - GOAL 4: Ensure a transition between residential and commercial areas that is aesthetically pleasing while discouraging encroachment into residential areas.
 - GOAL 5: Promote future development that is compatible with existing neighborhoods and that incorporates sound stormwater management practices.
6. **Size of Tract:** The 0.175 acre site is of sufficient size to accommodate the proposed light commercial development.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

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 applicant is rezoning to operate a Motor Vehicle Sales business.