



City of San Antonio

Agenda Memorandum

Agenda Date: November 2, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:
ZONING CASE Z-2023-10700214 CD

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

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service)

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: October 3, 2023

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: Alberto Macias

Applicant: Helen D Hernandez Macias

Representative: Helen D Hernandez Macias

Location: 12824 O'Connor Road

Legal Description: 0.5845 acres out of NCB 15722

Total Acreage: 0.5845

Notices Mailed**Owners of Property within 200 feet: 7****Registered Neighborhood Associations within 200 feet: N/A****Applicable Agencies: Planning Department****Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 41430, dated December 26, 1972, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 58192, dated January 26, 1984, to "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-1" Light Industry District converted to "I-1" General Industrial District. The property was rezoned by Ordinance 2015-01-15-0055, dated January 15, 2015, to the current "C-2" Commercial District.

Code & Permitting Details:

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

Topography: The subject property is located within the 100 Year Flood Plain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** "I-1"**Current Land Uses:** Vacant**Direction:** East**Current Base Zoning:** "I-1"**Current Land Uses:** Church**Direction:** South**Current Base Zoning:** "I-1"**Current Land Uses:** Commercial Spaces**Direction:** West**Current Base Zoning:** "C-3"**Current Land Uses:** Auto Service**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: O'Connor Road

Existing Character: Secondary Arterial A

Proposed Changes: None known.

Thoroughfare: Old O'Connor Road

Existing Character: Local

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 Auto and Vehicle Sales is 1 space per 500 sf GFA. The maximum parking requirement for Auto and Vehicle Sales is 1 space per 375 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.

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 conditional use is for motor vehicles sales (full service).

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within ½ a mile from a 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 Sector Plan, adopted August 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.
- 3. Suitability as Presently Zoned:** The existing "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The proposed "C-2 CD" Commercial District with a Conditional Use for Motor Vehicle Sales (Full Service) is also an appropriate zoning. The request maintains the base "C-2" Commercial zoning and the "CD" allows consideration of Motor Vehicle Sales (Full Service). Surrounding zoning includes "I-1" General Industrial and "C-3" General Commercial zoning to the north and east, "O-2" High Rise Office, "C-3" General Industrial and "R-6" Residential Single-family zoning to the west, and "I-1" General Industrial to the south. The subject property is located adjacent to light industrial uses and commercial uses representing equivalent intensities of use requested by applicant.
- 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 Sector Plan.

Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF Policy 14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding development.
- JEC Goal 1: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses.

Relevant Goal and Strategies of the North Sector Plan may include:

- Goal LU-1: Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable.
- ED-1.3: Continue to maintain and revitalize the North Sector to retain and expand vibrant retail and commercial uses within the IH-10, IH-35, Loop 410 and Loop 1604 corridors and/or centers

6. **Size of Tract:** The 0.5845 acre site is of sufficient size to 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 applicant is rezoning to develop a motor vehicle sales (full service) establishment.