



City of San Antonio

Agenda Memorandum

File Number:
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Agenda Item Number: {{item.number}}

Agenda Date: September 7, 2021

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:
ZONING CASE Z-2021-10700172 CD

SUMMARY:

Current Zoning: "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto, Boat, and Recreational Vehicle Storage (Outdoor/Covered)

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 7, 2021

Case Manager: Kayla Leal

Property Owner: Pat Gardner

Applicant: Pat Gardner

Representative: Brown & Ortiz P.C.

Location: 14000 Block of Nacogdoches Road

Legal Description: 6.96 acres out of NCB 15831

Total Acreage: 6.96

Notices Mailed

Owners of Property within 200 feet: 62

Registered Neighborhood Associations within 200 feet: None

Applicable Agencies: Planning Department, TXDOT

Property Details

Property History: The subject property was annexed into San Antonio City Limits on June 14, 1973, established by Ordinance 42200, and was zoned Temporary "R-1" Temporary Single Family Residential District. The zoning changed from Temporary "R-1" to "B-1" Business District, "B-2" Business District, and "B-3R" Restrictive Business District, established by Ordinance 49828, dated September 21, 1978. A portion of the property zoned "B-1" Business District was rezoned by Ordinance 65287, dated July 2, 1987 to "B-2" Business District. Upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the portion of the property zoned "B-2" Business District converted to the current "C-2" Commercial District, and the portion zoned "B-3R" Restrictive Business District converted to the current "C-3R" General Commercial Restrictive Alcoholic Sales 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: RM-4 PUD and R-6

Current Land Uses: Single-Family Residential

Direction: South

Current Base Zoning: C-2 and C-3

Current Land Uses: Multi-Family Residential and Commercial Uses

Direction: East

Current Base Zoning: C3-R

Current Land Uses: Commercial and Office Uses

Direction: West

Current Base Zoning: C-1

Current Land Uses: Office and Educational Uses

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: Nacogdoches Road

Existing Character: Secondary Arterial Type A

Proposed Changes: None

Public Transit: There are no bus stops within walking distance of the subject property.

Traffic Impact: Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

Parking Information: Outside Storage (under roof and screened) requires 1 parking space per 600 square feet of the Gross Floor Area (GFA) and has a maximum of 1 parking space per 350 square feet of GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: C-2 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-3R districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

Proposed Zoning: C-2 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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center, but is located within a half mile of the Austin Highway Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval with Conditions.

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 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. The property faces Nacogdoches Road and there are many commercial uses along this corridor.
3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District and "C-3R" General Commercial Restrictive Alcohol Sales District are appropriate zoning districts for the property and surrounding area.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare. The site plan displays adequate landscape buffers and building setbacks from the abutting residential located to the rear of the subject property.
5. **Public Policy:** The request does not appear to conflict with any public policy objective. The subject property is generally located on the north side of Nacogdoches Road, between Nacogdoches' intersection with Spring Farm and Spring Creek streets. The subject property is currently vacant and bisected by a drainage ditch. The northern boundary of the subject property abuts single-family and residential-mixed neighborhoods. Commercial uses, including a day care center and animal hospital, are located on its western and eastern boundaries, respectively. There are multi-family residential and commercial uses across Nacogdoches Road from the subject property. The subject property is located within the "Southeast Quadrant" of the North Sector Plan; it is currently zoned C-2 and C-3R with a Suburban Tier future land use designation.

The applicant is requesting C-2 CD zoning to accommodate mini-offices and outdoor covered and screened storage. C-2 zoning is permitted within the Suburban Tier, so a land use plan amendment is not necessary. "Storage – Outside (under roof and screened)" is not permitted in C-2 districts but is permitted by right in L and I-1 zoning districts. In accordance with UDC Sec. 35-422(e)(1) Table 422-1, uses permitted by right in L and I-1 districts may be permitted pursuant to a conditional zoning district in C-2 districts.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- Growth and City Form Policy #9: 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.
- Growth and City Form Policy #14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding higher-density development. Relevant Goals and Strategies of the North Sector Plan may include:
 - Land Use Strategy 1.1: Locate buffers between high density/intensity land uses that are potentially incompatible.
 - Land Use Strategy 6.5: Encourage development that is visually and functionally compatible with its surrounding neighborhoods by maintaining a massing and density of development that is compatible with adjacent developed neighborhoods.
 - Natural Resources Strategy 3.1: Where feasible, incorporate low impact development features to reduce the need for structural onsite retention facilities and foster healthy vegetation through natural infiltration.

6. **Size of Tract:** The 6.96 acre site is of sufficient size to accommodate the proposed Auto, Boat, and Recreational Vehicle Storage (Outdoor/Covered) 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.

Should the Zoning Commission recommend Approval, staff recommends the following Conditions:

1. Any on-site lighting shall be directed onto the site and point away from any residential zoning or uses; and
2. A Type B (Minimum width 15 feet) landscape buffer shall be provided along the property line abutting R-6 zoning.