



City of San Antonio

Agenda Memorandum

Agenda Date: September 19, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:

ZONING CASE Z-2023-10700209 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 Office Warehouse

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 19, 2023

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Robert Hernandez

Applicant: Robert Hernandez

Representative: Robert Hernandez

Location: 14093 Bulverde Road

Legal Description: Lot 90, Block 7, NCB 17825

Total Acreage: .3629

Notices Mailed

Owners of Property within 200 feet: 24

Registered Neighborhood Associations within 200 feet: Eden
Applicable Agencies: Aviation, Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 61612, dated December 29, 1985, and zoned Temporary “R-1” Single-Family Residence District. The property was rezoned by Ordinance 94538, dated September 13, 2001, to “B-2” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-2” Business District converted to the current “C-2” Commercial District.

Code & Permitting Details

Certificate of Occupancy Application (COO-APP23-37601616) – August 2023
Plumbing General Permit (MEP-PLM-PMT23-34323960) – August 2023
Commercial Project Application (COM-PRJ-APP23-39801664) – June 2023
Minor Commercial Repair Permit (REP-CRP-PMT23-35400291) – July 2023

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:

Current Land Uses: Single-Family Dwelling

Direction: East

Current Base Zoning:

Current Land Uses: Masonry contractor

Direction: South

Current Base Zoning: “C-2NA”

Current Land Uses: Vacant

Direction: West

Current Base Zoning:

Current Land Uses: Single-Family 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:

None.

Transportation

Thoroughfare: Bulverde Road
Existing Character: Primary Arterial A
Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property.
Routes Served: 502

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 Office Warehouse is 1 per 2,000 sf GFA. The maximum parking requirement for Office Warehouse is 1 per 2,000 sf 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.

Proposed Zoning: C-1 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 Conditional Use would allow for Office Warehouse.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center or is within ½ a mile from 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 San Antonio International Airport Vicinity Land Use 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 proposed “C-1 CD” Light Commercial District with a Conditional Use for Office Warehouse is also an appropriate zoning for the property and surrounding area. The proposed base “C-1” Light Commercial District permits less intense uses than “C-2”, while the “CD” Conditional Use allows for the one additional use of Office Warehouse with any needed conditions. The conditional use zoning will also hold the permitted uses to a site plan. Major site plan amendments require going through another zoning process for Council approval.
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 objective. 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 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 closer proximity to housing where appropriate.
 - GCF Policy 14 - Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding development.

Relevant Key Themes, Goals and Objectives of the San Antonio International Airport Vicinity Plan may include:

- Key Theme 7 - Encouraging compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes.
 - Goal I: Protect the quality of life of residents including health, safety and welfare.
 - Objective 2.2: Encourage commercial development that respects the integrity of existing residential development.
 - Objective 4.4: Support redevelopment through comprehensive rezoning and incentive zoning.
6. **Size of Tract:** The .3629 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 an office warehouse and has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.