



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 20, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**

ZONING CASE Z-2023-10700333 CD

(Associated Plan Amendment PA-2023-11600090)

**SUMMARY:**

**Current Zoning:** "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Office Warehouse (Flex Space) - Outside Storage Not Permitted on 1.289 acres and "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on 0.9025 acres

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 20, 2024

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** MAM SA, LLC

**Applicant:** Resco Residential & Commercial

**Representative:** Resco Residential & Commercial

**Location:** 13807 Bulverde Road

**Legal Description:** 2.1915 acres out of NCB 17825

**Total Acreage:** 2.1915 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Eden Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, San Antonio International Airport, Planning Department

### **Property Details**

**Property History:** The southern portion of the subject property was annexed into the City of San Antonio by Ordinance 41430, dated December 26, 1972, and the northern portion of the property was annexed by the City of San Antonio by Ordinance 61612, dated December 29, 1985. The property was originally zoned Temporary "R-1" Single-Family Residence District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned Temporary "R-1" Single-Family Residence District converted to "R-6" Residential Single-Family District. The property was rezoned by Ordinance 2008-08-07-0682, dated August 7, 2008, to the current "C-2NA" Commercial Nonalcoholic Sales District.

### **Code & Permitting Details:**

Permit Investigation (INV-PBP-23-3100001391) – March 2023

Permit Investigation (INV-PBP-23-3100001548) – March 2023

Zoning UDC Investigation (INV-ZCD-23-3140001061)- March 2023

**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:** "C-1 CD", "R-6"

**Current Land Uses:** Residential Dwelling, Roofing Contractor

**Direction:** South

**Current Base Zoning:** "R-6", "C-2", "C-3"

**Current Land Uses:** Church

**Direction:** East

**Current Base Zoning:** "I-1 PUD", "C-3", "R-6"

**Current Land Uses:** Residential Dwelling, Athletic Complex

**Direction:** West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential Dwelling, Church

### **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:**

NA

**Transportation**

**Thoroughfare:** Bulverde Road

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None known

**Public Transit:** There are VIA transit options within a ½ mile of the subject property.

**Routes Served:** 502

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for Auto and Light Truck Repair is 1 parking space per 500 square feet of gross floor area including service bays, wash tunnels and retail areas, plus 2 additional spaces for each inside service bay. The minimum parking requirement for Office Warehouse (Flex Space) is 1 parking space per 2,000 square feet of gross floor area.

**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.

"C-2NA" Commercial Nonalcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: "C-2NA" Commercial Nonalcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

If approved, the "CD" Conditional Use would permit an Office Warehouse on a 1.289 acre portion of the property and Auto and Light Truck Repair on the remaining 0.9025 acre portion of the property.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

If recommended for Approval, staff recommends the following Conditions:

- 1.) An 8-ft solid screen fence along the property lines that abut single-family residential uses
- 2.) A 15' landscape buffer along the property lines that abut single-family residential uses

**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 Plan, adopted in May 2010, and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “C-2NA CD” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Community Commercial”. Staff and Planning Commission recommend Approval.
- 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 current “C-2NA” Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The proposed “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for Office Warehouse and “C-2NA CD” Commercial Nonalcoholic Sales District with a Conditional Use for Auto and Light Truck Repair is also appropriate. The property is fronting a primary arterial and is already zoned for medium intensity commercial uses. The property is sized to adequately accommodate the setback and buffer requirements associated with the abutting residential development pattern. The proposed “CD” Conditional Use prescribes a detailed site plan that will address various development aspects such as building size, placement, height, and the layout of the parking. Deviation from the approved document could potentially warrant additional Council consideration.
- 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. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - 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 Goals, Objectives and Key Themes of the San Antonio International Airport Vicinity Plan may include:

- 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 2.3 Redevelop major commercial corridors to serve the needs of the airport neighborhoods and patrons.
- Key Theme 5 Preserving neighborhood integrity and preventing commercial encroachment.
- Key Theme 7 Encouraging compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes.

6. **Size of Tract:** The subject property is 2.1915 acres, which can reasonably 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 intends to rezone to “C-2NA CD” to develop an Office Warehouse on a 1.289 acre portion of the property and Auto and Light Truck Repair on the remaining 0.9025 acre portion of the property.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.