



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 2, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 9

**SUBJECT:**

ZONING CASE Z-2024-10700039

(Associated Plan Amendment PA-2024-11600020)

**SUMMARY:**

**Current Zoning:** "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District and "C-1 AHOD" Light Commercial Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 2, 2024

**Case Manager:** Kellye Sanders, Planning Coordinator

**Property Owner:** Enclave West Ave, LLC

**Applicant:** Enclave West Ave, LLC

**Representative:** Patrick Christensen, P.C.

**Location:** 11103 West Avenue

**Legal Description:** Lot 28, Block 38, NCB 11754

**Total Acreage:** 4.013 acres

**Notices Mailed****Owners of Property within 200 feet:** 37**Registered Neighborhood Associations within 200 feet:** Greater Harmony Hills**Applicable Agencies:** Aviation Department, Planning Department**Property Details**

**Property History:** Subject property was annexed into the City of San Antonio by Ordinance 18116, dated September 25, 1952, and zoned “A” Single Family Residence District. Property was rezoned by Ordinance 40622, dated April 20, 1972, to “R-3” Multiple Family Residential District. A portion of the property was rezoned by Ordinance 46683, dated May 20, 1976, to “B-2” Business District. The entire property was rezoned by Ordinance 55880, dated September 23, 1982, to “B-1” Business District and “B-2” Business District. A portion of the “B-1” Business District property was rezoned by Ordinance 61705, dated October 24, 1985, to “B-2NA” Non Alcoholic Sales Business District. The areas zoned “B-2” Business District and “B-2NA” Non Alcoholic Sales Business District were rezoned by Ordinance 66843, dated March 24, 1988, to “B-3NA” Non-Alcoholic Sales Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-1” Business District and “B-3NA” Non-Alcoholic Sales Business District converted to the current “C-1” Light Commercial District and “C-3NA” General Commercial Nonalcoholic Sales District respectively.

**Code & Permitting Details:** There is no code enforcement history for the subject property.

Building Application (COM-PRJ-APP24-39800578) – March 2024

Minor Plans Application (COM-PRJ-APP24-39800597) – March 2024

**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:** R-5**Current Land Uses:** Church, Single-Family Residential Units**Direction:** South**Current Base Zoning:** R-5, C-1, C-2**Current Land Uses:** Montessori School, Single-Family Residential Units**Direction:** East**Current Base Zoning:** C-3R, C-2, C-2NA**Current Land Uses:** Auto Repair, Food Service, Animal Clinic**Direction:** West**Current Base Zoning:** C-1, R-5**Current Land Uses:** Single-Family Residential Units, Commercial Building

**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:** West Avenue

**Existing Character:** Secondary Arterial

**Proposed Changes:** None known

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

**Routes Served:** 2, 602

**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 Medical – Clinic is 1 space per 400 sf GFA, and the maximum parking requirement is 1 space per 100 sf GFA. The parking requirements for other commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "C-1" 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.

"C-3NA" General Commercial Nonalcoholic Sales Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-

510 of the Unified Development Code. "C-3NA" General Commercial Nonalcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

Proposed 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.

**FISCAL IMPACT:**

None

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

The subject property is not located within a Regional Center but is within a ½ mile of the San Pedro Metro Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval, pending Plan Amendment.

**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, adopted May 2010, and is currently designated as "Public Institutional" in the future land use component of the plan. The requested "C-2" 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. Surrounding properties are "R-5" Residential Single-Family, "C-1" Light Commercial, "C-2" Commercial and "C-3 R" General Commercial Restrictive Alcoholic Sales.
3. **Suitability as Presently Zoned:** The existing "C-3NA" General Commercial Nonalcoholic Sales District and "C-1" Light Commercial District are appropriate zoning districts for the property and surrounding area. The proposed "C-2" Commercial District is also an appropriate zoning. There are existing office and commercial buildings on the site. The applicant is requesting the change in zoning to consolidate the various zoning districts into a single, consistent commercial district and to have a greater variety of commercial uses for the entire property that will complement the existing commercial uses along West Avenue.

**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. Relevant Goals and Policies of the Comprehensive Plan may include:

- 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.
- JEC P21: Cluster businesses within similar and compatible industries and public institutions geographically to encourage increased interaction and collaboration.

Relevant Goals and Objectives from the San Antonio International Airport Vicinity Land Use Plan may include:

- Goal II: Encourage economic growth that enhances airport operations and development
- Goal III: Encourage a unique experience for airport patrons by creating gateways and enhancing the airport vicinity's image through urban design

**6. Size of Tract:** The 4.013 acre site is of sufficient size to accommodate the proposed commercial development.

**7. Other Factors:** The applicant is requesting the change in zoning to open a medical clinic towards the rear of the property.