



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 16, 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-2024-10700032

(Associated Plan Amendment PA-2024-11600011)

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 16, 2024. This item was continued at the April 2, 2024 hearing.

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

**Property Owner:** Ahmet Guvengez and Melike Yenice

**Applicant:** Ahmet Guvengez and Melike Yenice

**Representative:** Ahmet Guvengez and Melike Yenice

**Location:** 13525 Wetmore Road

**Legal Description:** Lot 11, Block 2, NCB 15679

**Total Acreage:** 1.365 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 10

**Registered Neighborhood Associations within 200 feet:** No Neighborhood Association within 200'

**Applicable Agencies:** Planning Department, San Antonio International Airport

**Property Details**

The subject property was annexed into the City Antonio by Ordinance 41430, dated December 25, 1972 and was originally zoned Temporary "R-1" Single-Family Residence District. A portion of the property was rezoned by Ordinance 74428 dated September 26, 1991 to "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion of the property zoned Temporary "R-1" Single-Family Residence District converted to "R-6" Residential Single-Family District, and the portion of the property zoned "B-2" Business District converted to "C-2" Commercial District.

**Code & Permitting Details:**

There are no code or permitting details for the property.

**Topography:** The property does not include any abnormal physical features such as slope or incursion into the 100-year floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Residential dwellings

**Direction:** South

**Current Base Zoning:** "I-1", "C-2"

**Current Land Uses:** Building materials retailer, Water softening equipment supplier, Lumber store

**Direction:** East

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

**Current Land Uses:** Auto dealerships, residential dwelling

**Direction:** West

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

**Current Land Uses:** Commercial strip- Professional office, jewelry store, bar, food service establishment

**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:**

No special district information.

**Transportation**

**Thoroughfare:** Wetmore Road

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None known

**Thoroughfare:** Stahl Road

**Existing Character:** Secondary 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 a food service establishment is 1 parking space per 100 sq/ft of gross floor area. The minimum parking requirement for an auto dealership is 1 parking space per 500 sq/ft of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family District permits single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

“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-3” General Commercial 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.

**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 Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of “C-2 CD” Commercial District with a Conditional Use for Motor Vehicle Sales (Full Service).

**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 in May 2010, and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-3” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Commercial”. Staff recommends Denial. The Planning Commission recommendation is pending the March 27, 2024 hearing.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. Surrounding zoning designations include “C-2” Commercial District, “R-6” Residential Single-Family District, “C-3” General Industrial District, and “I-1” General Industrial District.
3. **Suitability as Presently Zoned:** The current “R-6” Residential Single-Family District is not an appropriate zoning for the property and surrounding area; the current “C-2” Commercial District is appropriate for the property and surrounding area but is only designated on a small portion of the subject property. The proposed “C-3” General Commercial District is not appropriate for the property or surrounding area. The property is situated between a low-density residential development pattern to the north, and an industrial pattern to the south. The property currently accommodates a restaurant, and the proposal for “C-3” General Commercial District would bring this into compliance while also allowing for the development of other “C-3” uses on the property. This development could be accomplished with a proposal for “C-2 CD” on the subject property. The “C-2” Commercial District as a base zone would allow for the revitalization of the existing restaurant, which is currently unable to operate due to the “R-6” base and is also unable to attain Non-Conforming Use Rights due to lapse in use. The proposed motor vehicle sales can be conditioned down through a “CD” Conditional Use with a “C-2” Commercial base zoning district that aligns with the current land use.

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 San Antonio International Airport Vicinity Land Use Plan:
  - Goal I: Protect the quality of life of residents including health, safety and welfare
    - Objective 1.1 Protect integrity of exiting residential neighborhoods and prevent excessive noise pollution and other airport hazards
    - Objective 1.2 Discourage developments of incompatible uses in the airport environs and noise exposure contours
  - Goal II: Encourage economic growth that enhances airport operations and surrounding development
    - Objective 2.1 Upgrade and enhance airfront commercial and business park property that is declined, is currently vacant, or is underutilized
    - Objective 2.2 Encourage commercial development that respects the integrity of existing residential development
6. **Size of Tract:** The subject property is 1.365 Acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors** The applicant intends to rezone to “C-3” in order to bring an existing restaurant into compliance, and to allow for the future development of a motor vehicle sales (full service) establishment.

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.