



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 18, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**  
ZONING CASE Z-2022-10700147

**SUMMARY:**  
**Current Zoning:** “R-5 AHOD” Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** “NC AHOD” Neighborhood Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** July 5, 2022

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** Vu Hanh

**Applicant:** Vu Hanh

**Representative:** Vu Hanh

**Location:** 255 Maurine Drive

**Legal Description:** Lot 17, Block 20, NCB 10095

**Total Acreage:** 0.1992

**Notices Mailed****Owners of Property within 200 feet:** 19**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association**Applicable Agencies:** Planning Department**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1256, dated August 2, 1944 and zoned "A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "A" Single-Family Residence District converted to the current "R-5" Residential Single-Family 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:** R-5**Current Land Uses:** Residential Dwelling**Direction:** South**Current Base Zoning:** R-5**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** C-2**Current Land Uses:** Food Service Establishment**Direction:** West**Current Base Zoning:** R-5**Current Land Uses:** Residential 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:** N/A.**Transportation****Thoroughfare:** Maurine Drive**Existing Character:** Local**Proposed Changes:** None Known

**Thoroughfare:** South New Braunfels Avenue

**Existing Character:** Minor

**Proposed Changes:** None Known

**Public Transit:** There is Public Transit within walking distance of the subject property.

**Routes Served:** 20, 34, 515

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\*

A TIA Report is not required.

**Parking Information:** The minimum parking for a Laundry or Dry Cleaning Pickup Station Only is 1 space per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** “R-5” Single-Family Residential District allows single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

**Proposed Zoning:** “NC” Neighborhood Commercial District provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

**FISCAL IMPACT:**

None.

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

Subject property is located within the Brooks Regional Center and within ½ a mile from the New Braunfels Avenue Premium Transit Corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Denial.

**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 Brooks Area Regional Center Plan and is currently designated as “Urban Low Density Residential” in the future land use

component of the plan. The requested “NC” base zoning district is consistent with the future land use designation.

2. **Adverse Impacts on Neighboring Lands:** Staff finds 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. The surrounding properties are zoned “R-5” Residential Single-Family and are developed as residential homes.
3. **Suitability as Presently Zoned:** The existing “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “NC” Neighborhood Commercial District introduces uses to the property that are not appropriate in an area predominately developed as single-family homes. The introduction of a commercial zoning designation would disrupt the character of an established neighborhood. The closest commercial zoning is completely isolated to the east side of South New Braunfels Street.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare. The excess number of cars coming and going relating to the dry cleaning pick up and drop off business creates a traffic safety hazard on a local street developed for residential use.
5. **Public Policy:** The request does appear to conflict with public policy objectives of the Brooks Area Regional Center Plan.
  - Strategy 1.2 (Regulatory and Policy) Calm traffic in select areas including: Neighborhood nodes and main streets
  - Strategy 2.5 (Regulatory and Policy, Investment) Discourage single-use development (i.e. strictly commercial zoning) along transit corridors, especially at intersections that could provide an opportunity for future mixed-use development.
6. **Size of Tract:** The 0.1922 acre site is not of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to run a dry cleaning business - pick up and drop off only.

When the zoning request includes a request for nonresidential uses or multifamily uses adjacent (refer to definition in Appendix A as there is a difference between abutting and adjacent) to an existing single family residential use, the applicant is required to construct and maintain a 6 foot solid screen fence, prior to obtaining a Certificate of Occupancy, per Section 35-514(d). The applicant can request City Council modify or exempt this requirement.