



City of San Antonio

Agenda Memorandum

Agenda Date: September 15, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 7

SUBJECT:

ZONING CASE Z-2022-10700200 CD
(Associated Plan Amendment PA-2022-11600075)

SUMMARY:

Current Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto, Boat and Recreational Vehicle Storage Outside and Screened

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: September 6, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: Kelly Pattie

Applicant: Clint Pattie

Representative: Brown and Ortiz, PC

Location: 7540 Bandera Road

Legal Description: 3.924 acres out of NCB 17973

Total Acreage: 3.924

Notices Mailed**Owners of Property within 200 feet:** 29**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Texas Department of Transportation, Planning Department**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 61607, dated December 29, 1985 and zoned Temporary "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary "R-1" Single-Family Residence District converted to the current "R-6" 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 PUD**Current Land Uses:** Residential Neighborhood**Direction:** South**Current Base Zoning:** C-3**Current Land Uses:** Bar, Driving School, Church, Restaurant, Strip Mall**Direction:** East**Current Base Zoning:** R-6 and C-2**Current Land Uses:** Lawn Care Service, Stained Glass Studio, Propane Supplier**Direction:** West**Current Base Zoning:** C-3**Current Land Uses:** Collision and Auto Repair, Landscape Company**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:** Bandera Road**Existing Character:** Principal Primary Arterial A**Proposed Changes:** None Known

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

Routes served: 88, 609

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 requirement for Storage Outside and under screen is 1 space per 600 sq GFA

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "R-6" Residential Single-Family allows dwellings (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.

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.

The "CD" Conditional Use would permit Auto, Boat, RV Storage-Outside and Screened.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located with the Northwest Regional Center and within ½ a mile from the Huebner- Grissom Premium Transit Corridor

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval. Zoning Commission recommends Approval with Conditions.

The recommended Conditions are as follows:

- 1) Downward facing lighting directed away from residential zoning and/or uses.
- 2) Hours of Operation: 7 days a week Saturday through Sunday, 7:00a.m. to 7:00p.m

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 Huebner/ Leon Creek Community Plan and is currently designated as “Medium Density Residential” and “Community Commercial” in the future land use component of the plan. The requested “C-2 CD” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Community Commercial”. Staff recommends Approval. The Planning Commission recommendation pending the September 14, 2022 hearing.
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 "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District is an appropriate zoning for the property and surrounding area. The requested "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto, Boat and Recreational Vehicle Storage – Outside and Screened is also appropriate for the property and surrounding area with proper buffering. The requested “C-2” Commercial District is appropriate accessing off of Bandera Road as a commercial corridor. The “CD” Conditional Use allow consideration of the use Auto, Boat and Recreational Vehicle Storage with any necessary conditions such as additional buffering and/or screening.
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 Huebner/ Leon Creek Community Plan.
 - GCF P4: Create subarea/corridor plans for the city’s regional centers, major arterials, and transit corridors to ensure maximum coordination of land use, transportation and other infrastructure in support of higher density development.
 - Goal 1: Community Character and Quality of Life: Preserve the character and quality of life of the Huebner/Leon Creeks Community.
 - Objective 1.1: Growth Management: Promote new commercial and residential development that is respectful of the primarily residential character of the area- Maintain the low-density development pattern
 - Focus higher-density uses at intersection of Bandera Road with other roadways and greenways (nodes).
6. **Size of Tract:** The 3.924 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The purpose of the Conditional Use is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is requesting Auto and Boat Storage, outdoor and screened.

The zoning request includes a request for nonresidential uses or multifamily uses adjacent (refer to definition in Appendix A as there is a different 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.