



City of San Antonio

Agenda Memorandum

Agenda Date: November 15, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2022-10700298 S

(Associated Plan Amendment PA-2022-11600102)

SUMMARY:

Current Zoning: "C-2 MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District and "MH MC-3 AHOD" Manufacture Housing Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District

Requested Zoning: "C-2 S MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District with a Specific Use Authorization for a height to exceed thirty-five (35) feet

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 15, 2022

Case Manager: Ann Benavidez, Planner

Property Owner: Diane M. Connor, Dennis Mundahl, Rickey Mundahl, and Dale Mundahl

Applicant: Buck Benson

Representative: Buck Benson

Location: 2306 Austin Highway

Legal Description: Lot 20 and Lot 21, NCB 12180

Total Acreage: 2.384 Acres

Notices Mailed

Owners of Property within 200 feet: 17

Registered Neighborhood Associations within 200 feet: NA

Applicable Agencies: San Antonio International Airport, Planning Department, Texas Department of Transportation

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 18115 dated September 24, 1952, and originally zoned "A" Residence District and "F" Local Retail District. A portion of the property was rezoned by Ordinance 36085 January 4, 1968 to "R-4" Mobile-Home Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-4" Mobile-Home Residence District converted to the current "MH" Manufactured Housing District, and the portion of the property zoned "F" Local Retail District converted to the current "C-2" Commercial District.

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-2" "C-3"

Current Land Uses: Hotel, Apartments, Restaurant

Direction: South

Current Base Zoning: "R-5"

Current Land Uses: Residential Dwelling, Veterans Organization

Direction: East

Current Base Zoning: "C-2"

Current Land Uses: Apartments

Direction: West

Current Base Zoning: "C-2"

Current Land Uses: Mobile Home Dealer

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.

The “MC-3” Austin Highway/Harry Wurzbach Metropolitan Corridor provides site and building design standards for properties located along the two corridors. Metropolitan Corridors follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city. A zoning review is performed by the Zoning Section of the Development Services Department.

Special District Information:

None.

Transportation

Thoroughfare: Austin Highway

Existing Character: Primary Arterial A

Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.

Routes Served: 14, 214, 505

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 self-storage facilities is 4 parking spaces plus an additional 2 parking spaces for management.

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.

“MH” Manufactured Housing District to provide suitable locations for individual HUD-code manufactured homes. Although this district still exists, it is no longer approved for new properties.

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 "S" Specific Use Authorization would permit development of a structure exceeding the 35-feet in height within the "C-2" Commercial District.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the NE I-35 and Loop 410 Regional Center and is within a ½ mile of the Austin Highway Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

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 and is currently designated as "Medium Density Residential" in the future land use component of the plan. The requested "C-2 S" 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 is pending the November 16, 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. The Corridor is zoned as mostly "C-2" Commercial and "C-3" General Commercial.
3. **Suitability as Presently Zoned:** The current "C-2" Commercial District and the "MH" Manufactured Housing Districts are both appropriate zonings for the property and surrounding area. The proposed "C-2 S" Commercial District with a Specific Use Authorization for a height to exceed 35' is also appropriate. The use is permitted by right in the C-2 base zoning district, which in addition to "C-3" General Commercial District can be found in proximity to the subject site. While the property does abut single family residential zoning and land use to the south, the commercial development is held to a site plan, and has buffer and setback requirements associated with the request to shield the use from residential properties.
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:
 - Key Theme 7: Encourage compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes.
 - Key Theme 8: Encourage adaptive reuse or retrofit of declining commercial areas.

- Key Theme 10: Encourage redevelopment of Austin Highway, Perrin Beitel, Walzem, and West Avenue corridors.
- Land Use Goal 1: Protect the quality of life of residents including health, safety and welfare.
- Land Use Objective 2.2: Encourage commercial development that respects the integrity of existing residential development.
- Land Use Objective 2.3: Redevelop major commercial corridors to serve the needs of the airport neighborhoods and patrons.

6. **Size of Tract:** The subject property is 2.384 ccres, which can reasonably accommodate commercial development.
7. **Other Factors:** The applicant intends to rezone to “C-2 S” to develop as self-storage facility and the Specific Use Authorization will allow a height to exceed 35 feet. The current height restriction in the “C-2” Commercial District is 25-feet. The applicant proposes no more than 40-feet in height. This is a net difference of 15-feet.

The purpose of the Specific Use Authorization 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.

Unified Development Code, Section 35-517, Building Height Regulations, Section 35-517 (d), Subsection (2) Setbacks for Height Regulations: the maximum height of any portion of a commercial, office or multi-family zoning district located within fifty (50) linear feet of the property line of an established single-family residential use shall be limited to the maximum height of the single-family district. The height limit shall not apply where a property is zoned single-family residential but not used for residential purposes, such as a church, school, park or golf course. The measurement of fifty (50) feet shall occur from the property line of the residential use to the structure in the zoning district subject to this subsection.

(3) For portions of a zoning district subject to the height limit of subsection (2) the maximum height limit may be exceeded through the specific use authorization ("S") process.

The applicant is using the Specific Use Authorization provision to seek a maximum height of 40-feet.