



City of San Antonio

Agenda Memorandum

Agenda Date: May 18, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:
ZONING CASE Z-2023-10700049 CD

SUMMARY:
Current Zoning: "C-2" Commercial District and "C-3" General Commercial District

Requested Zoning: "C-2 CD" Commercial District with a Conditional Use for Recreational Vehicle Park

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: April 4, 2023

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Kathryn and Marcus Mcinnis

Applicant: Kathryn and Marcus Mcinnis

Representative: Patrick Christensen, PC

Location: Generally located in the 9500 block of Fredericksburg Road

Legal Description: Lot 10, Block 2, NCB 16350, Lot P-53, NCB 13667, and Lot 1, Block 1, NCB 13667

Total Acreage: 2.431 acres

Notices Mailed**Owners of Property within 200 feet:** 15**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Texas Department of Transportation**Property Details**

Property History: The subject property was annexed into the City of San Antonio by Ordinance 39660 dated August 11, 1971 and originally zoned Temporary "R-1" Single-Family Residence District. A portion of the property was rezoned to "B-3" 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 zoned "B-3" Business District converted to the current "C-3" General Commercial District. A portion of the property was rezoned by Ordinance 101554 dated October 13, 2005, 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-3", "C-3 R"**Current Land Uses:** Public Storage, Apartments**Direction:** South**Current Base Zoning:** "C-3", "C-2"**Current Land Uses:** Assisted Living Facility, Rehabilitation Center**Direction:** East**Current Base Zoning:** "C-3"**Current Land Uses:** Vacant**Direction:** West**Current Base Zoning:** "C-2", "MF-33"**Current Land Uses:** Apartments**Overlay District Information:**

No overlay information.

Special District Information:

No special district information.

Transportation**Thoroughfare:** Fredericksburg Road**Existing Character:** Secondary Arterial A**Proposed Changes:** None Known

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

Routes Served: 501

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: There is no minimum parking requirement for recreational vehicle parks.

ISSUE:

None.

ALTERNATIVES:

Current 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.

“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-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.

If approved, the “CD” Conditional Use would permit a recreational vehicle park on the property. The site plan indicates a total of 27 recreational vehicles.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Medical Center Regional Center and is within a ½ mile of the Fredericksburg and Zarzamora Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 Medical Center Area Regional Center and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future land use designation.
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 property is situated in an area where commercial and multi-family uses are already established.
3. **Suitability as Presently Zoned:** The current “C-2” Commercial District and “C-3” General Commercial District are appropriate zonings for the property and surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for a Recreational Vehicle Park is also appropriate. There are a mix of multi-family residential developments and medium to high intensity commercial uses in proximity to the subject property. While recreational vehicle parks are typically permitted by right in the “L” Light Industrial District, the “CD” Conditional Use will permit the use on the property, while holding the development to a prescribed site plan and density.
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 Medical Center Area Regional Center Plan:
 - Recommendation 1: Reinvest in existing housing stock and neighborhoods in the Medical Center Area Regional Center.
 - Recommendation 3: Preserve the existing affordable housing stock and increase the amount of affordable housing as the Regional Center continues to grow.
 - Recommendation 4: Better connect and integrate housing within the commercial and employment areas in the Medical Center.
6. **Size of Tract:** The subject property is 2.431 acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to “C-2 CD” to permit a Recreational Vehicle Park.

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.

Per the Texas Department of Transportation, if rezoning is approved and land use remains the same, the current existing driveway would be allowed to remain.

Per section 35-379(d)(2) of the Unified Development Code, recreational vehicle parks may be designed with a maximum density of twenty (20) units per acre. The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates a total of 27 units, for an overall density of approximately 11.11 units per acre. This is compliant with the maximum density allowed.