



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 2, 2021

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 10

**SUBJECT:**

ZONING CASE Z-2021-10700251

(Associated Plan Amendment PA-2021-11600086)

**SUMMARY:**

**Current Zoning:** "O-2 AHOD" High-Rise Office Airport Hazard Overlay District

**Requested Zoning:** "C-1 AHOD" Light Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 2, 2021

**Case Manager:** Forrest Wilson, Planner

**Property Owner:** Sunset Ridge Church of Christ

**Applicant:** Sunset Ridge Church of Christ

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** 291 Emporia Boulevard

**Legal Description:** the east 276.17 feet of Lot 6, NCB 8699

**Total Acreage:** 0.9458

**Notices Mailed****Owners of Property within 200 feet:** 18**Registered Neighborhood Associations within 200 feet:** Terrell Heights**Applicable Agencies:** None**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 2942, dated December 28, 1945 and zoned "D" Apartment District. The property was rezoned by Ordinance 79708, dated February 24, 1994 to "O-1" Office District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "O-1" Office District converted to "O-2" High-Rise Office 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:** "O-2", "R-5"**Current Land Uses:** Multi-Family/Church**Direction:** East**Current Base Zoning:** "MF-33"**Current Land Uses:** Single-Family**Direction:** South**Current Base Zoning:** "MF-33"**Current Land Uses:** Single-Family**Direction:** West**Current Base Zoning:** "MF-33"**Current Land Uses:** Multi-Family**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:**

None

## **Transportation**

**Thoroughfare:** Emporia Boulevard

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Brees Boulevard

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property

**Traffic Impact:** TIA report is required. ROW dedication and improvement may be required along Emporia, Brees and Vanderheck. TIA will be reviewed in detail during platting or building permit which will require a site plan.

**Parking Information:** The minimum parking requirement is 1 space per 300 sf GFA

### **ISSUE:**

None

### **ALTERNATIVES:**

**Current Zoning:** “O-2” High-Rise Office Districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

**Proposed Zoning:** “C-1” Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

### **FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center, but it is within the Premium Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval, pending Plan Amendment.

**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 Northeast Inner Loop Neighborhood Plan and is currently designated as Public Institutional in the future land use component of the plan. The requested "C-1" Light Commercial base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to Neighborhood Commercial. Staff and Planning Commission recommended Approval.
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, which has a mix of residential and commercial zoning categories.
3. **Suitability as Presently Zoned:** The existing "O-2" High-Rise Office District is an appropriate zoning for the property and surrounding area, as it is consistent with the future land use designation of the Northeast Inner Loop Neighborhood Plan. However, the property is currently used as a parking lot for the adjacent Sunset Ridge Church, and the proposed use of a farmer's market with no more than two (2) food trucks is also appropriate and will serve as a community gathering place for the neighborhood. Additionally, the applicant has requested a Plan Amendment to Neighborhood Commercial, which will allow for the requested "C-1" Light Commercial District.
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 proposed change of zoning does not appear to conflict with the following goals and strategies of the Northeast Inner Loop Neighborhood Plan:
  - Goal 2 Economic and Physical Redevelopment of Austin Highway
    - Objective 2.3 Business Development: Attract new, neighborhood-friendly businesses and infill development that will meet the resident's daily needs and bring new vitality to the neighborhoods' commercial centers.
  - Goal 4 Parks, Community Facilities, and Recreational Programs
    - Objective 4.3 Community Facilities Acquisition and Development: Secure and develop a community facility in the Northeast Inner Loop planning area to be used for gatherings, meetings, or recreational activities.
6. **Size of Tract:** The 0.9458 acre site is of sufficient size to accommodate light commercial uses.
7. **Other Factors:** The applicant proposes to host a farmer's market with no more than two (2) food trucks on weekends.