



City of San Antonio

Agenda Memorandum

Agenda Date: April 4, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 7

SUBJECT:

ZONING CASE Z-2023-10700036 S

SUMMARY:

Current Zoning: "C-2 AHOD" Commercial Airport Hazard Overlay District

Requested Zoning: "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for Club-Private

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 4, 2023

Case Manager: Ann Benavidez, Planner

Property Owner: Kevin Nguyen

Applicant: Kevin Nguyen

Representative: Kevin Nguyen

Location: 4788 Northwest Loop 410

Legal Description: Lot 3, Block 17, NCB 16069

Total Acreage: 2.454 Acres

Notices Mailed

Owners of Property within 200 feet: 10

Registered Neighborhood Associations within 200 feet: NA

Applicable Agencies: Planning Department and Texas Department of Transportation

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 26874 on August 27, 1958 and zoned "F" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, 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: "R-5" "UZROW"

Current Land Uses: Highway Loop 410, Tax office

Direction: South

Current Base Zoning: "C-3", "C-3R"

Current Land Uses: Skin care clinic, Retail shops, Tax office

Direction: East

Current Base Zoning: "C-2" "C-3"

Current Land Uses: College, Restaurants

Direction: West

Current Base Zoning: "C-3"

Current Land Uses: Vacant Lot, Hotel

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:

No special district information.

Transportation

Thoroughfare: Highway Loop 410

Existing Character: Interstate Highway

Proposed Changes: None Known

Thoroughfare: Callaghan Road

Existing Character: Secondary Arterial A

Proposed Changes: None Known

Thoroughfare: Manitou Road

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 509, 552

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

Per the Texas Department of Transportation, if land use is remaining the same, the current existing access would be allowed to remain.

Parking Information: The minimum parking requirement for a private club is 1 parking space per 3 persons.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: C-2 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 S" 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 "S" Specific Use Authorization would permit a Private Club for a Card House.

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 Looper Premium Transit Corridor and the General McMullen-Babcock 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 West Sector Plan and is currently designated as “Mixed Use Center” in the future land use component of the plan. The requested “C-2 S” 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 abuts a major highway and is in a predominately commercial area.
3. **Suitability as Presently Zoned:** The current “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2 S” Commercial District with a Specific Use Authorization for a Club- Private is also appropriate. The property is surrounded by various “C-2” and “C-3” zoning designations, with various accompanying commercial land uses that range in intensity. The “S” Specific Use Authorization requires that the development be held to a site plan that addresses layout and parking, and that will prevent expansion of the use without additional City Council consideration.
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 West/Southwest Sector Plan:
 - Goal LU-1 Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses
 - LU-1.3 Ensure that high density / intensity land uses are buffered and screened to reduce the impact on lower density / intensity land uses that are nearby
6. **Size of Tract:** The subject property is 2.454 Acres, which can reasonably accommodate the proposed commercial use.
7. **Other Factors:** The applicant received a notice of zoning violation in January 2023. The applicant is rezoning to “C-2 S” to bring an existing card house on the property into compliance. The Private Club (card house) is within an existing restaurant.

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.