



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4718

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/20/2020

**Title:** ZONING CASE Z-2020-10700078 CD (Council District 10): Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for Construction Trades Contractors on 1.514 acres out of NCB 17365, located at 14726 Bulverde Road. Staff and Zoning Commission recommend Approval with Conditions.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Field notes, 6. Ordinance 2020-08-20-0588

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z2020-10700078 CD

**SUMMARY:**

**Current Zoning:** "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Construction Trades Contractors

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 16, 2020. This case is continued from the June 2, 2020 zoning hearing.

**Case Manager:** Victoria Castro, Planner

**Property Owner:** Pozzi Enterprises, Inc. and Addrey LLC

**Applicant:** Pozzi Enterprises, Inc. and Addrey LLC

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

**Location:** 14726 Bulverde Road

**Legal Description:** 1.514 acres out of NCB 17365

**Total Acreage:** 1.514

**Notices Mailed**

**Owners of Property within 200 feet:** 36

**Registered Neighborhood Associations within 200 feet:** Briarwick Neighborhood Association

**Applicable Agencies:** San Antonio International Airport

**Property Details**

**Property History:** The property was annexed by Ordinance 83132 on December 31, 1995 and zoned Temporary "R-1" Single Family Residence District. The subject property was rezoned by Ordinance 86429, dated August 14, 1997, from Temporary "R-1" Single Family Residence District to "B-3 NA" Non-alcoholic Sales Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-3 NA" Non-alcoholic Sales Business District converted to the current "C-3 NA" General Commercial Nonalcoholic Sales 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:** "I-1"

**Current Land Uses:** Vacant Land

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residences

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Single-Family Residences

**Direction:** West

**Current Base Zoning:** "C-3NA" and "I-1"

**Current Land Uses:** Storage Warehouse

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** Bulverde Road

**Existing Character:** Primary Arterial A

**Proposed Changes:** None Known

**Public Transit:** 502

**Traffic Impact:** Traffic Impact Analysis (TIA) can't be determined at this time.

**Parking Information:** The minimum parking requirement for storage is 1 parking space per 600 square foot of Gross Floor Area.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** "C-3" 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" 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 current zoning district designation of "C-3NA" districts are identical to "C-3" districts except that the sale of alcoholic beverages is prohibited.

**Proposed:** The proposed zoning district designation of "C-2NA" districts are identical to "C-2" districts except that the sale of alcoholic beverages is prohibited.

**FISCAL IMPACT:**

None.

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

The property is not within a Regional Center and is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval with Conditions: Hours of operation is from 7:00am to 7:00pm; 15 foot type B landscape buffer adjacent to residential.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the 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 “Community Commercial” in the land use component of the plan. The requested “C-2NA” base zoning district is consistent with the adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed rezoning is more consistent with the established development pattern of the surrounding area than the existing “C-3” General Commercial

**3. Suitability as Presently Zoned:**

The existing “C-3 NA” base zoning district is appropriate for the surrounding area. The proposed “C-2NA” constitutes a downzoning of a more intense zoning district and is more appropriate abutting residential uses and zoning.

**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 objective.

**Objective 2.2** Encourage commercial development that respects the integrity of existing residential development.

**Objective 4.4** Support commercial redevelopment through comprehensive rezoning and incentive zoning.

**6. Size of Tract:**

The 1.514 acre site is of sufficient size to accommodate the proposed general commercial development.

**7. Other Factors:**

The applicant is requesting to rezone to store equipment, material and provide additional parking for the existing business.

Should Council approve, staff and Zoning Commission recommend the following conditions:

Hours of operation is from 7:00am to 7:00pm

15 foot buffer adjacent to residential