



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-5080

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/3/2020

**Title:** ZONING CASE Z-2020-10700148 (Council District 3): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on 27.75 acres out of NCB 11166, located at 12100 South US Highway 281. Staff recommends Denial. Zoning Commission recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Metes and Bounds, 5. Ordinance 2020-09-03-0617

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2020-10700148

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 4, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Southstar Mission Del Lago Developer LLC

**Applicant:** Paul Basaldua

**Representative:** Brown & Ortiz, PC

**Location:** 12100 South US Highway 281

**Legal Description:** 27.75 acres out of NCB 11166

**Total Acreage:** 27.75

**Notices Mailed**

**Owners of Property within 200 feet:** 82

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The property was annexed in 1988 and was rezoned from "Temporary R-1" to "B-2" Business District and "B-3" Business District by Ordinance 68292. The subject property converted from "B-2" and "B-3" to "C-2" Commercial District and "C-3" General Commercial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001.

**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"

**Current Land Uses:** Vacant

**Direction:** South

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

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "UZROW", "R-4"

**Current Land Uses:** Roadway, Vacant

**Direction:** West

**Current Base Zoning:** "C-2", "R-4"

**Current Land Uses:** Vacant, Single-Family Subdivision

**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:** South US 281

**Existing Character:** Expressway

**Proposed Changes:** None

**Thoroughfare:** Mission Grande

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance.

**Routes Served:** 42

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The minimum parking requirement for single-family dwellings is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The “C-2” Commercial Districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

“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.

**Proposed:** The requested “R-4” allows a single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not within a regional center nor is it located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission (10-0) recommends Approval.

**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 Heritage South Sector Plan and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “R-4” is consistent with the future land use designation.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed “R-4” is too close to a major highway. The Heritage South Plan promotes buffer zones such as commercial zoning and uses to act as a transition and buffer between residential areas. The existing “C-3” General Commercial and “C-2” Commercial is more appropriate to the area and location, and act as a buffer to the neighboring residential subdivision.

**3. Suitability as Presently Zoned:**

While the current “C-2” can provide goods and services to existing and surrounding residential. “The current “C-3” is appropriate on a corner adjacent to Highway 281 S. The requested “R-4” is not suitable for the property. The existing commercial zoning is appropriate and compatible to the area and meets the Heritage South Sector goals for commercial development along significant transportation nodes (Highways 281 S).

**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 rezoning appears to conflict with the following goals, principles, and objectives of the Heritage South Sector Plan.

The Plan notes that commercial centers should be accessible and located at strategic nodes and with lower density development in these areas.

LU-3.2 Promote commercial and mixed use development at areas designated for Transit Oriented Development

**6. Size of Tract:**

The subject property is 27.7 acres, which could accommodate the requested residential use.

**7. Other Factors:**

The applicant would like to develop a single-family subdivision.