# City of San Antonio

## Legislation Details (With Text)

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| **File #:** | 21-4259 |
| **Type:** | Zoning Case |
| | **In control:** City Council A Session |
| **On agenda:** | 6/17/2021 |
| **Title:** | ZONING CASE Z-2021-10700079 (Council District 10): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Recreational Vehicle Park on Lot 45, Lot 46, and Lot 47, Block 1, NCB 14051, located at 13502 Topper Circle. Staff and Zoning Commission recommend Approval. |
| **Sponsors:** | |
| **Indexes:** | |
| **Code sections:** | |
| **Attachments:** | 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2021-06-17-0506 |

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**
Zoning Case Z2021-10700079 CD

**SUMMARY:**
**Current Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Recreational Vehicle Park

**BACKGROUND INFORMATION:**
**Zoning Commission Hearing Date:** May 18, 2021

**Case Manager:** Michael Pepe, Senior Planner

**Property Owner:** Jimmie Dale Daniel and Christopher Sean Daniel

**Applicant:** Toepperwein City View LLC

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

**Location:** 13502 Topper Circle

**Legal Description:** Lot 45, Lot 46, and Lot 47, Block 1, NCB 14051

**Total Acreage:** 1.8240

**Notices Mailed**
**Owners of Property within 200 feet:** 23
**Registered Neighborhood Associations within 200 feet:** None
**Applicable Agencies:** None

**Property Details**
**Property History:** The property was annexed by Ordinance 7903 on December 30, 1993 and was originally zoned R-1" Temporary Single-Family Residence District., The property was rezoned to "I-1" Light Industry District, by Ordinance, Ordinance 80236, dated May 26, 1994. Upon the adoption of the 2001 Unified Development Code, the previous"I-1" converted to the current "I-1" General Industrial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-1" Light Industry District converted to the current "I-1" General Industrial 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:** Small warehouse

**Direction:** East
**Current Base Zoning:** "I-1"
**Current Land Uses:** Small warehouse

**Direction:** South
**Current Base Zoning:** "L S with Specific Use Authorization for a Construction Contractor Facility", "I-1"
**Current Land Uses:** Small warehouse, Mobile home park

**Direction:** West
**Current Base Zoning:** "I-1"
**Current Land Uses:** Vacant Land

**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:** Toepper Run
**Existing Character:** Local
**Proposed Changes:** None known

**Thoroughfare:** Toepper Circle
**Existing Character:** Local
**Proposed Changes:** None known

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

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

**Parking Information:** Minimum parking requirements are not applicable to recreational vehicle parks.

**ISSUE:**
None.

**ALTERNATIVES:**
**Current:** The "I-1" accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**Proposed:** The proposed "C-2" 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 "CD" would allow an RV Park, pursuant to a site plan.

**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 (11-0) recommend 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 in the North Sector Plan and is currently designated "Industrial" 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 has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed "C-2" Commercial District is a downzone from the existing "I-1" General Industrial zoning in the area. The "CD" Conditional Use allows the additional use of a Recreational Vehicle (RV) Park in

addition to other "C-2" uses but holds the applicant to a site plan.

**3. Suitability as Presently Zoned:**
The current "I-1" General Industrial base zoning district is appropriate for the surrounding area. The proposed "C-2" Commercial represents a downzoning and would allow the requested use on the property.

**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 of the North Sector Plan:

Goal LU-3 Higher density/intensity tiers are recommended adjacent or proximate to activity centers. Strategies:

LU-3.1 Set priority for pursuing a compatible and highest and best use for development of vacant infill and underutilized parcels between Loop 1604 and Loop 410 in a compatible manner as recommended in the Sector Land Use Plan.

LU-3.2 Integrate mixed use areas vertically as well as horizontally, allowing for differing uses within the same building, as well as within the same project area.

LU-3.3 Promote job growth in the Specialized, Regional, and Mixed-Use Centers to achieve the City's diversified business targets through land use guidance and economic incentives.

**6. Size of Tract:**
The 1.8240 acre site is of sufficient size to accommodate commercial uses and the proposed recreational vehicle park

**7. Other Factors:**
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.

Recreational Vehicle Parks are subject to Section 35-379. - Manufactured Home and Recreational Vehicle Parks of the City Code. The prescribed density is no more than 20 units per acre. At 1.8240 acres this is a maximum density of 36 units.