



# City of San Antonio

## Agenda Memorandum

**File Number:** 19-8424

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**Agenda Item Number:** 5.

**Agenda Date:** 11/19/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z-2019-10700082

(Plan Amendment Case PA-2019-11600072)

**SUMMARY:**

**Current Zoning:** “C-2 AHOD” Commercial Airport Hazard Overlay District, “C-2 MC-3 AHOD” Commercial Austin Highway Corridor Overlay Airport Hazard Overlay District, and “C-3 NA MC-3 AHOD” General Commercial Nonalcoholic Sales Austin Highway Corridor Overlay Airport Hazard Overlay District

**Requested Zoning:** “C-3 MC-3 AHOD” General Commercial Austin Highway Corridor Overlay Airport Hazard Overlay District and “C-3 AHOD” General Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 19, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Dugger Family Joint Venture, LLC

**Applicant:** Villagomez Engineering

**Representative:** Villagomez Engineering

**Location:** 1315 Austin Highway

**Legal Description:** Lot 36, Block A, NCB 8695

**Total Acreage:** 0.89

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Wilshire Village Neighborhood Association

**Applicable Agencies:** Fort Sam Houston

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 3958, dated September 5, 1946 and zoned "F" Local Retail Business District. A portion of the property was rezoned by Ordinance 86504, dated August 28, 1997 from "F" Local Retail Business District to "B-3NA" Non-Alcoholic Sales Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-3NA" Non-Alcoholic Sales Business District converted to the current "C-3NA" General Commercial, Nonalcoholic Sales District and the property zoned "F" Local Retail Business District "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:** "MF-33"

**Current Land Uses:** Apartments

**Direction:** South

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

**Current Land Uses:** Retail

**Direction:** East

**Current Base Zoning:** "C-2 S" Specific Use Authorization for a Carwash

**Current Land Uses:** Car Wash

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Vacant Building and Single Family Dwellings

### **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.

"MC-3"

The "MC-3" Austin Highway/Harry Wurzbach Metropolitan Corridor provides site and building design standards for properties located along the two corridors. Metropolitan Corridors follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** Austin Highway

**Existing Character:** Primary Arterial A

**Proposed Changes:** None Known

**Thoroughfare:** Vandiver Road  
**Existing Character:** Collector  
**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.  
**Routes Served:** 14

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a retail store is 1 space for every 300 square feet.

**ISSUE:**  
None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "C-2" Commercial District 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.

The present zoning district designation of "C-3NA" General Commercial Nonalcoholic Sales District 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-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets. District regulations within the "C-3NA" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

**Proposed:** The proposed "C-3" General Commercial 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-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

**FISCAL IMPACT:**  
None.

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

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

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 Northeast Inner Loop Neighborhood Plan and is currently designated as "Community Commercial" in the future land use component of the plan. The requested "C-3" base zoning district is not consistent with the future land use designation. The applicant is requesting a Plan Amendment to change the future land use to "Regional Commercial". Staff and Planning Commission recommend Denial.

### **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.

### **3. Suitability as Presently Zoned:**

The current "C-3NA" General Commercial Nonalcoholic Sales District is not an appropriate zoning for the property and surrounding area. The "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The proposed "C-3" General Commercial District is better suited between intersecting major arterial and in an area usually 20 acres or larger. This corridor carries a "Community Commercial" which supports light commercial and retail uses.

### **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 does not appear to conflict with the following goals, principles, and objectives of the Northeast Inner Loop Neighborhood Plan:

- Goal 2 Economic and Physical Redevelopment of Austin Highway  
Modify Austin Highway to become a more urban, pedestrian and transit-friendly boulevard with a "town center" that is connected to the surrounding neighborhoods and has activities to attract neighborhood residents as well as visitors and people from around the city.
- Objective 2.2 Austin Highway "Town Center"  
Create a "town center" at a central location along Austin Highway that will be a connecting focal point of the adjoining neighborhoods as well as a major transit or light rail stop. A "town center" has a more compact pattern of development with a pedestrian orientation, mixed uses (residential, commercial and employment) and a public place for gatherings which encourages an active civic and community life.

### **6. Size of Tract:**

The subject property is 0.89 acres, which could reasonably accommodate retail use.

### **7. Other Factors:**

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

The applicant is requesting the zoning change to make the property more marketable.