



# City of San Antonio

## Agenda Memorandum

**File Number:**20-2618

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**Agenda Item Number:** Z-13

**Agenda Date:** 4/2/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z-2020-10700016 CD

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Requested Zoning:** "C-3 CD AHOD" General Commercial Airport Hazard Overlay District with a Conditional Use for a Construction Contractor Facility with Outdoor Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 3, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Michael Brady Morehead

**Applicant:** Bexar Engineers and Associates, LLC

**Representative:** Megan Morehead

**Location:** 11852 Nacogdoches Road

**Legal Description:** Lot 14, Block 4, NCB 16151

**Total Acreage:** 1.455

**Notices Mailed**

**Owners of Property within 200 feet:** 15

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

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1972 by Ordinance Number 41430. The property was originally zoned "R-1" Temporary Residence District. The industrial portion of the property was rezoned from "R-1" to "I-1" by Ordinance 58061 dated December 22, 1983. Upon the adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "R-6" Residential Single-Family District. The commercial portion of the property was then rezoned from "R-6" to "C-2" Commercial by Ordinance 2017-01-19-0051 dated January 19, 2017.

**Topography:** The property does not include any abnormal physical features such as slope but a portion of the property is within the one hundred year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3NA S, I-1, R-6

**Current Land Uses:** Vacant Land, Single-Family Home, Mechanical Shop

**Direction:** East

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

**Current Land Uses:** Construction Contractor Facility

**Direction:** South

**Current Base Zoning:** "I-1"

**Current Land Uses:** Warehousing

**Direction:** West

**Current Base Zoning:** "C-3NA"

**Current Land Uses:** Warehousing, Vacant

**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:** Nacogdoches Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None

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

**Routes Serviced:** 14, 502

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

**Parking Information:** The parking requirement for a contractor facility is one space per 1,500 gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** 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 general industrial district 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:** 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. The proposed "CD" would allow a Construction Contractor Facility with Outdoor Storage.

**FISCAL IMPACT:**

None.

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

The property is not within a regional center, but it is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 within the San Antonio International Airport Vicinity Plan and is currently designated as "Business Park" in the future land use component of the plan. The requested "C-3" 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 commercial use will be located adjacent to similar uses and is fronting a major thoroughfare. This conditional use limits buildings to the site plan, mitigating potential adverse impacts.

**3. Suitability as Presently Zoned:**

The current "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The existing "I-1" General Industrial zoning is not consistent with the Plan. The proposed "C-3 CD" is an

appropriate zoning for the property and surrounding area. The nature of uses and zones are highly intense on this block and the “C-3 CD” for a Construction Contractor Facility with Outside Storage would allow the existing business to expand their operations within the scope of an adopted site plan. Additionally, the rezoning allows the owner to consolidate two (2) different zoning designations to “C-3” which is appropriate to their use and operation, as well as the San Antonio Airport Vicinity Plan.

#### **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 San Antonio International Airport Vicinity Plan:

Objective 1.2 Discourage developments of incompatible uses in the airport environs and noise exposure contours.

Objective 2.1 Upgrade and enhance air front commercial and business park property that is declined, is currently vacant, or is underutilized.

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

The subject property is 1.455 acres, which could reasonably accommodate the proposed commercial uses.

#### **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.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. On August 15, 2017, the Office of Historic Preservation approved demolition for the main structure.