



# City of San Antonio

## Agenda Memorandum

**File Number:**21-2820

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**Agenda Item Number:** 9.

**Agenda Date:** 4/20/2021

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z-2021-10700038 CD

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Construction Contractor Facility with Outside Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 20, 2021. This case is expedited to the May 6, 2021 City Council hearing.

**Case Manager:** Justin Malone, Planner

**Property Owner:** Bash Joint Venture

**Applicant:** Brett Nichols, Clean Scapes- San Antonio, LLC

**Representative:** Bill Kaufman, The Kaufman Group

**Location:** 4497 Stahl Road and 4515 Stahl Road

**Legal Description:** Lot P-13 and Lot P-13A, NCB 15702

**Total Acreage:** 4.926

**Notices Mailed**

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

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

Neighborhood Association

**Applicable Agencies:** San Antonio International Airport

**Property Details**

**Property History:** The property was annexed on June 13, 1973 by Ordinance 42200 and was originally zoned "B-2" Business District. The previous zoning district converted to the current "C-2" Commercial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, and 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-3NA"

**Current Land Uses:** Vacant Land

**Direction:** East

**Current Base Zoning:** "C-2", "C-3R", "C-2NA"

**Current Land Uses:** Vacant Land

**Direction:** South

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

**Current Land Uses:** Residential, Conditional use for Athletic Fields and a Specific Use Authorization for Meeting Facilities

**Direction:** West

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

**Current Land Uses:** Residential

**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.

**Thoroughfare:** Stahl Road

**Existing Character:** Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Higgins Road

**Existing Character:** Arterial

**Proposed Changes:** None Known

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

**Routes Served:** None

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** The minimum parking requirements for contractor facility is 1 per 1,500 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** “C-2” Commercial 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

**Proposed:** “C-2” Commercial 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 “CD” Conditional Use will allow all “C-2” uses in addition to a Construction Contractor Facility with Outdoor Storage.

**FISCAL IMPACT:**

None.

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

The property is located not located within a regional center and nor is it within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff 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 San Antonio International Airport Vicinity Land Use Plan and is currently designated as “Mixed Use” 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 did not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The existing “C-2” Commercial District is consistent with neighboring properties. The base district will remain “C-2” Commercial District. The “CD” Conditional Use allows consideration of a Construction Contractor Facility with Outdoor Storage.

**3. Suitability as Presently Zoned:**

The current “C-2” Commercial District is appropriate for the property and surrounding area. The requested “C-2 CD” base zoning district with Conditional Use Construction Contractor Facilities with Outdoor Storage is consistent and compatible with existing “C-3R” General Commercial Restrictive Alcoholic Sales and the “C-2” Commercial District to the east and southeast of the subject site.

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

##### **Plan Goals:**

- Goal IV: Develop a comprehensive set of development applications and incentives to implement the land use plan and continue noise attenuation efforts.
  - Objective 4.4: Support commercial redevelopment through comprehensive rezoning and incentive zoning

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

The subject property is 4.926 acres, which could reasonably accommodate commercial uses and the commercial contractor facility with outdoor storage.

#### **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.

The Conditional Use request is for a Landscaping Company with Outdoor Storage.