



City of San Antonio

Agenda Memorandum

File Number:21-5103

Agenda Item Number: 18.

Agenda Date: 8/3/2021

In Control: Zoning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 10

SUBJECT:

Zoning Case Z-2021-10700171

(Associated Plan Amendment PA-2021-11600048)

SUMMARY:

Current Zoning: "O-2 AHOD" High Rise Office Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 3, 2021

Case Manager: Michael Pepe, Senior Planner

Property Owner: Gruene Fund LP

Applicant: CareVet LLC

Representative: Killen Griffin Farrimond PLLC

Location: 3100 Nacogdoches Road

Legal Description: Lot 1 and Lot 7, Block F, NCB 12113

Total Acreage: 2.0682

Notices Mailed

Owners of Property within 200 feet: 19

Registered Neighborhood Associations within 200 feet: Forest Oak

Applicable Agencies: Planning Department

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and zoned Temporary "A" Single-Family Residence District. The property was rezoned by Ordinance 58847 and Ordinance 58848, dated June 7, 1984, from "A" to "O-1" Office District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "O-1" converted to the current "O-2" High Rise Office 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: "C-2"

Current Land Uses: Mixed retail

Direction: East

Current Base Zoning: "O-2", "R-20"

Current Land Uses: Offices, Single Family Housing

Direction: South

Current Base Zoning: "R-20"

Current Land Uses: Single Family Housing

Direction: West

Current Base Zoning: "C-3R", "O-2"

Current Land Uses: Office Park, Drugstore

Overlay and Special District Information:

"AHOD" The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, 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: Nacogdoches

Existing Character: Secondary Arterial

Proposed Changes: None Known

Thoroughfare: Forest Oak

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: East Valley View

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 9, 10

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

Parking Information: The parking minimum for a Small Animal Clinic is 1 space per employee.

ISSUE:

None.

ALTERNATIVES:

Current: O-2 districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65-foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is located within the Greater Airport Regional Center and is located 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 Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-2” base-zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Community Commercial”. Staff recommends Approval, Planning Commission recommendation is pending the August 11, 2021 hearing.

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 proposed rezoning limits potential impacts the existing of “O-2” High Rise Office District.

3. Suitability as Presently Zoned:

The current "O-2" High Rise Office is not an appropriate for the property and surrounding area. The requested “C-2” Commercial would be a more appropriate zoning for the corridor and proposed 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 subject property is generally located southeast of the intersection of Nacogdoches Road and Forest Oak Drive. The subject property currently includes an approximately 10,600 sq ft. multi-tenant office building, parking lot, and undeveloped land. The subject property sits across Nacogdoches Road from a community shopping center and abuts a single-family residential subdivision (Forest Oak) on its southeast side. Office uses can be found to the east and west of the subject property.

The subject property falls within the “Southeast District” of the San Antonio International Airport Vicinity Plan. The subject property is currently zoned O-2 AHOD with a future land use of Neighborhood Commercial. Permitted zoning districts within the Neighborhood Commercial designation include NC, C-1, and O-1.

The applicant has requested C-2 zoning to accommodate an animal clinic. The requested C-2 zoning is not permitted within the Neighborhood Commercial future land use designation; therefore, the applicant has also requested a plan amendment to Community Commercial. Permitted zoning within Community Commercial areas include NC, C-1, C-2, C-2P, O-1, and O-1.5.

Animal clinics are permitted uses within NC and C-1 zoning districts, and both NC and C-1 zoning are allowed within the subject property’s existing Neighborhood Commercial land use designation. The subject property abuts a residential area, and some of the more intense C-2 uses are not appropriate for, or compatible with, residential areas. An alternative would be to change the subject property to NC or C-1 zoning, which would allow for an animal clinic, but not require a plan amendment. Although NC or C-1 zoning would be more appropriate given the subject property’s future land use designation and proximity to a residential area, the existing building on the property exceeds the individual building size maximum for NC (3,000 sq ft) and C-1 (5,000 sq ft) zoning. A change to NC or C-1 zoning would create a situation where the existing building is non-conforming.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services, and entertainment amenities in close proximity to housing and where appropriate.
- GCF P14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Relevant Themes, Goals, and Objectives of the San Antonio International Airport Vicinity Plan may include:

- Theme #5: Preserve neighborhood integrity and prevent commercial encroachment.
- Theme #7: Encourage compatible commercial uses along corridors that serve the neighborhoods and more intense commercial uses at major intersection nodes.
- Goal I: Protect the quality of life of residents including health, safety and welfare.

6. Size of Tract:

The subject property is 2.0682 acres, which could reasonably accommodate commercial uses.

7. Other Factors:

The applicant wishes to use the existing building as an animal clinic and develop the vacant portion as light

retail.