



City of San Antonio

Agenda Memorandum

Agenda Date: October 17, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2024-10700199 CD

SUMMARY:
Current Zoning: "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Office Warehouse (Flex Space)

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: September 17, 2024

Case Manager: Eradio Gomez, Zoning Senior Planner

Property Owner: Ricardo A. Ramos

Applicant: Baltazar Ramos and Ricardo A. Ramos

Representative: Killen, Griffin & Farrimond, PLLC

Location: 9754 Southton Road

Legal Description: Lot P-100K, NCB 10917

Total Acreage: 2.678 Acres

Notices Mailed**Owners of Property within 200 feet:** 16**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Planning Department, Public Works Department**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and zoned "R-3" Multiple-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property was converted into "MF-33" Multi-Family District.

Code & Permitting Details:

There is no code enforcement or permitting history for the subject property.

Topography: A portion of subject property is located with the 100 Year Flood Plain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** "MF-33", "R-6"**Current Land Uses:** Vacant Land, Food Service, Carwash**Direction:** South**Current Base Zoning:** "RM-4"**Current Land Uses:** Vacant Land**Direction:** East**Current Base Zoning:** "I-1", "MF-33", "M1-1"**Current Land Uses:** Vacant Land, Commercial Parking Lot, Residential Single-Family, Food Service**Direction:** West**Current Base Zoning:** "R-6"**Current Land Uses:** Single Family Dwelling**Overlay District Information:**

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.

Special District Information:

N/A

Transportation**Thoroughfare:** Southton Road**Existing Character:** Local, Enhanced Secondary Arterial

Proposed Changes: None

Thoroughfare: Shane Road

Existing Character: Local

Proposed Changes: None

Thoroughfare: Nancy Carole Way

Existing Character: Local

Proposed Changes: None

Public Transit: There is no public transit within walking distance of the subject property.

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for Office Warehouse (Flex Space) is 1 space per 5,000 sf GFA.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "MF-33" Multi-Family District permits any uses permitted in MF-33 with a maximum density of 33 units per acre."

Proposed Zoning: "C-2 CD" Commercial District accommodates 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 is for Office Warehouse (Flex Space).

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within the Brooks Regional Center and not within ½ a mile from any Premium Transit Corridors.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the Heritage South Sector Plan, adopted in 2010, and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “C-2 CD” 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 proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “MF-33” Multi-Family District is an appropriate zoning for the property and surrounding area. The proposed "C-2 CD" General Commercial District with a Conditional Use for Office Warehouse (Flex Space) is also appropriate. The conditional use allows for the single higher intense commercial use while keeping the lower base zoning. The proposed use is consistent with other light industrial and commercial zoning and uses in the area. Additionally, the subject property is situated along Interstate Highway 410, making it appropriate in size and placement for commercial development. The applicant will have to adhere to the prescribed site plan required for a Conditional Use. Any deviation from the approved document could potentially warrant additional council consideration.
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 objectives. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:
 - GCF P1: Incentivize the development of housing and employment uses in the city’s priority growth areas.
 - GCF P5: Invest in needed amenities and infrastructure that will facilitate higher-density development in the city’s priority growth areas.
 - JEC Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.

Relevant Goals and Policies of the Heritage South Sector Plan may include:

- Goal LU-1: Land uses that are compatible with neighboring properties that preserve natural and cultural resources, neighborhood character, and economic viability.
 - Goal LU-2: Design guidelines for on-residential uses to encourage compatibility of adjacent properties.
 - Goal LU 3: Urban, commercial, and rural development are concentrated in strategic areas supported by targeted public and private investments.
 - Goal LU-5: A community that applies sustainable development patterns and principles.
6. **Size of Tract:** The subject property is 2.678 acres, which can reasonably accommodate the proposed commercial development.

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 applicant is rezoning to develop office warehouse (Flex Space).

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.