



# City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** April 5, 2022

**In Control:** Zoning Commission Meeting

---

**DEPARTMENT:** Planning Department

**DEPARTMENT HEAD:** Bridgett White

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

Zoning Case Z2022-10700065  
(Associated Plan Amendment PA2022-11600020)

**SUMMARY:**

**Current Zoning:** "OCL" Outside the City Limits

**Requested Zoning:** "R-4" Residential Single-Family

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 3, 2021

**Case Manager:** Joyce Palmer, Senior Planner

**Property Owner:** Juan A. Martinez and Maria Cruz Martinez

**Applicant:** City of San Antonio

**Representative:** City of San Antonio

**Location:** Generally located southeast of the intersection of South Loop 1604 East and IH 37 South

**Legal Description:** Lot 1, Block 1, CB 4167A

**Total Acreage:** 40.00

**Notices Mailed****Owners of Property within 200 feet: 8****Registered Neighborhood Associations within 200 feet: NA****Applicable Agencies: None****Property Details**

**Property History:** The City of San Antonio (City) initiated Limited Purpose Annexation of the south side area in 2014, and then completed Full Purpose Annexation of the area in 2016. As part of both annexation processes, Texas Local Government Code (LGC) required that the City offer Development Agreements to properties which had the applicable appraisal for ad valorem tax purposes as land for agricultural or wildlife management use or as timber land (“agricultural”) as designated by the Bexar Appraisal District (BCAD). In 2013, 2014, and 2016, prior to the final Full Purpose Annexation of other properties in the South San Antonio Area, numerous properties entered into Development Agreement with the City of San Antonio. These agreements allowed their continued agricultural use, or other use as specified by the LGC, and guaranteed the extraterritorial status for the property as long as the property owner(s) continued the use as described in the terms of the agreement. The Owner of the Subject Property had previously entered into a development agreement with the City not to be annexed, but now petition the City for annexation in anticipation of future development, pursuant to Section 43.016 of the Texas Local Government Code. Additionally, the Subject Property meets the statutory requirements for full purpose annexation, by the City, as it: (1) is within the City's extraterritorial jurisdiction; and (2) is adjacent and contiguous to the City's corporate limits.

The Subject Property is currently undeveloped and generally located at the southeast of the intersection of S Loop 1604 E and IH 37 S, in the extraterritorial jurisdiction adjacent to City Council District No. 3. The intended developer ("Developer") would like to develop the Subject Property for a single-family residential project. The Property Owner and Developer are seeking this annexation in order to gain the advantages of being within the City, such as trash service, police and fire service, and other City services that already benefit surrounding properties. The annexed property will be in City Council District 3.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

**Adjacent Base Zoning and Land Uses****Direction: North****Current Base Zoning: R-4****Current Land Uses: Undeveloped Land****Direction: East****Current Base Zoning: C-2, R-5****Current Land Uses: Storage Warehouse, Undeveloped Land****Direction: South****Current Base Zoning: OCL**

**Current Land Uses:** Undeveloped Land

**Direction:** West

**Current Base Zoning:** C-1, R-20

**Current Land Uses:** Restaurant, Undeveloped Land

**Overlay District Information:**

None.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** South Loop 1604

**Existing Character:** Expressway

**Proposed Changes:** None known

**Public Transit:** There are no nearby VIA bus stations within walking distance.

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

**Parking Information:** Minimum Requirement for a single-family dwelling is one (1) parking space per dwelling unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** Property is currently Outside City Limits (OCL).

**Proposed Zoning:** “R-4” Residential Single-Family District allows dwellings (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center nor is it located within a half-mile of a Premium Transit Corridor. The subject property is located within the proposed Far South Community Plan area, which is an SA Tomorrow Phase 5 plan area.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 and is currently designated as “Rural Estate Tier” in the land use component of the plan. The requested “R-4” base zoning district is not consistent with the adopted land use designations. There is an associated Plan Amendment request to allow a “Suburban Tier” land use classification. Staff and Planning Commission recommend Approval.
2. **Adverse Impacts on Neighboring Lands:** The subject property is located in an area that is transitioning from farm and ranchland to a more residential and commercially developed area. There are proposed residential subdivisions located east and south of the subject property. Additionally, an equipment supplier/storage facility and restaurant are located east and west of the property, respectively. Based on the existing conditions and uses of the area, the proposed “R-4” Residential Single-Family zoning district will not have any adverse impact on the neighboring lands.
3. **Suitability as Presently Zoned:** There is no assigned zoning to the property due to it being located outside of the city’s limits. Should the property be annexed, but this zoning request be denied, the property would be zoned “DR” Development Reserve which is intended to provide a temporary zoning classification for newly-annexed property until the property is rezoned by the City. The “DR” zoning district carries the same use and development regulations as the “R-6” Residential Single-Family zoning district.
4. **Health, Safety and Welfare:** The proposed “R-4” Residential Single-Family District will allow the subject property to be developed with similar uses as those within the vicinity. The proposed “R-4” Residential Single-Family District and use support the goals and strategies of the Heritage South Sector Plan.
5. **Public Policy:** The request does not appear to conflict with any public policy objective. The request is consistent with the Heritage South Sector Plan goals and reinforces Housing Goal-1, which is to have an array of housing choices throughout the area with an appropriate mix of densities and housing types. Furthermore, Housing Strategy 1.1 of the plan encourages a mix of housing types, including multi-family homes, custom homes, garden homes, and single-family detached homes to provide “life cycle” housing options (ranging from college students, young adults, families, and retired/ senior) within the area.
6. **Size of Tract:** The 40.00-acre site is of sufficient size to accommodate the proposed development.
7. **Other Factors:** None.