



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 6, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2022-10700204

**SUMMARY:**

**Current Zoning:** "IDZ MC-2 AHOD" Infill Development Zone South Presa Metropolitan Corridor Airport Hazard Overlay District with Uses Permitted in "C-2" Commercial District and "RM-4" Residential Mixed District

**Requested Zoning:** "IDZ-2 MC-2 AHOD" Medium Intensity Infill Development Zone South Presa Metropolitan Corridor Airport Hazard Overlay District with Uses Permitted in "C-2" Commercial District and Auto & Light Truck Repair

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 6, 2022

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** Maria Gomez

**Applicant:** Everardo Casarez

**Representative:** Everardo Casarez

**Location:** 4119 South Presa Street

**Legal Description:** the south 35 feet of Lot 5, Lot 6, Block 15, NCB 3220

**Total Acreage:** 0.2732 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** Riverside Neighborhood Association

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The property was part of the original 36 square miles of the City of San Antonio and was originally zoned “J” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “J” Commercial District converted to “I-1” General Industrial District. The property was rezoned by Ordinance 2011-05-19-0425, dated May 19, 2011, to the current “IDZ” Infill Development Zone.

**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:** “IDZ”

**Current Land Uses:** Residential Dwelling, Restaurant

**Direction:** South

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Residential Dwelling, Learning Center

**Direction:** East

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Auto Oriented Businesses, Residential Dwelling

**Direction:** West

**Current Base Zoning:** “R-4”

**Current Land Uses:** Residential Dwelling

**Overlay District Information:**

The “MC-2” South Presa Metropolitan Corridor provides site and building design standards for properties located along South Presa Street between Interstate Highway 10 and Southeast Loop 410. Metropolitan Corridors follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city. A zoning review is performed by the Zoning Section of the Development Services Department.

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:**

None.

**Transportation**

**Thoroughfare:** South Presa

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Dimmit Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 34, 36, 242

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for a motor vehicle sales facility is 1 parking space per 500 square feet of gross floor area

The "IDZ-2" base zoning district waives the parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "IDZ" Infill Development Zone District provides flexible standards for the development and reuse of underutilized parcels within a qualifying area of the city. Although this district still exists, it is no longer approved for new properties.

The current "IDZ" allows "C-2" Commercial District and "RM-4" Residential Mixed District uses.

Proposed Zoning: "IDZ-2" Medium Intensity Infill Development Zone District allows rezoning requests up to 50 units per acre and uses permitted in "C-2" and "O-1.5". All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The proposed "IDZ-2" would allow "C-2" Commercial District uses and Auto and Light Truck Repair.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within a ½ mile of the Rockport Subdivision Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 South Central Community Plan and is currently designated as “Mixed Use” in the future land use component of the plan. The requested “IDZ-2” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The current “IDZ” Infill Development Zone District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-2” Medium Intensity Infill Development Zone District is not appropriate. The rezoning is proposed to bring an already existing business into compliance; however, the use is inappropriate given the proximity to the single-family residential land uses to the back of the property. The existing “IDZ” Infill Development Zone base zoning district already allows for neighborhood appropriate commercial uses and mixed residential development.
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 appear to conflict with any public policy objectives of the South Central Community Plan:
  - Goal: Maintain and build on the old-fashioned neighborhood character of South Central San Antonio.
  - Objective 1 – Economic Development:
    - o Develop and enhance the community’s commercial corridors by improving streetscape appearances and recruiting businesses to employ and provide goods/services to residents.
  - Strategies 1.1 & 2 – Economic Development:
    - o Improve the quality of commercial corridors including South Flores Street, South Presa Street, and Roosevelt Avenue.
6. **Size of Tract:** The subject property is 0.2732 acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to "IDZ-2" Medium Intensity Infill Development Zone with Uses Permitted in "C-2" Commercial District and Auto & Light Truck Repair.

There is an existing auto repair business on the property that is existing, nonconforming. The applicant would like to update their Certificate of Occupancy but cannot do so because the repair business is not allowed in the current zoning designation, so they are rezoning to allow the repair business by right to obtain permitting.