



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 2, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2022-10700331

(Associated Plan Amendment PA-2022-11600115)

**SUMMARY:**

**Current Zoning:** "R-4 EP-1 MLOD-3 MLR-2" Residential Single-Family Facility  
Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting  
Region 2 District

**Requested Zoning:** "NC EP-1 MLOD-3 MLR-2" Neighborhood Commercial Facility  
Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting  
Region 2 District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 17, 2023

**Case Manager:** Adolfo Gonzalez, Planner

**Property Owner:** Noe Guerrero, Juliana Hernandez, Israel Guerrero

**Applicant:** Noe Guerrero, Juliana Hernandez, Israel Guerrero

**Representative:** Noe Guerrero, Juliana Hernandez, Israel Guerrero

**Location:** 207 Ferris Avenue

**Legal Description:** Lots 38, 39, and 40, Block 8, NCB 10246

**Total Acreage:** 0.404

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** Coliseum/Willow Park Neighborhood Association

**Applicable Agencies:** Martindale Army Airfield, Eastside Community Plan

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 15765, dated October 17, 1951, and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-4"

**Current Land Uses:** Residential Dwelling

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Residential Dwelling

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Church

**Direction:** West

**Current Base Zoning:** "R-4"

**Current Land Uses:** Vacant property

**Overlay District Information:**

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

The "MLOD-3" Martindale Army Airfield Military Lighting Overlay District does not restrict permitted uses but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

**Special District Information:**

None.

**Transportation**

**Thoroughfare:** Ferris Avenue

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** Claver

**Existing Character:** Local

**Proposed Changes:** None known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes served:** 26, 225

**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 for a grocery store is 1 per 300 sf GFA. The maximum parking for a grocery store is 1 per 150 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-4" Residential Single-Family District allows single-family dwelling (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.

Proposed Zoning: "NC" Neighborhood Commercial District provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

**FISCAL IMPACT:**

None.

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

The Subject property is not located within a Regional Center or within ½ a mile from a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend 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 Arena District/Eastside Community Plan and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “NC” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Neighborhood Commercial”. Staff and Planning Commission recommend Approval.
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 “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “NC” Neighborhood Commercial District is also an appropriate zoning for the property and surrounding area. The proposed rezoning request is to permit the operation of a corner grocery store to service the surrounding residents. Properties zoned “NC” Neighborhood Commercial Districts is designed to complement neighborhoods for goods and services, and generally are found at the intersection of collector streets. Given the property’s location at an intersection, abutting a vacant property, and with a large church across the street the proposed request is suited to the area and will not have an adverse impact on the character of the neighborhood.
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 objective of the Arena District/Eastside Community Plan.

Relevant Goals, Policies and Actions of the Comprehensive Plan may include:

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

H P30: Ensure infill development is compatible with existing neighborhoods.

CHW P14: Implement policies to increase accessibility and affordability of healthy food options (natural grocery stores, natural and/or organic sections in grocery stores, school programs, farmer’s markets, community gardens and urban agriculture/retail opportunities) within walking distance of all neighborhoods (1/4 to 1/2 mile depending on amenity).

CHW A1: Increase access to healthy and affordable food for all residents within 1/2-mile radius.

CHW A2: Implement Complete Neighborhoods as measured by good access to schools, parks, grocery stores, sidewalks and transit.

Relevant Goals and Policies of the Arena District Eastside Community Plan may include:  
Redevelopment 1.3 - New retail, medical office, and business services space - an opportunity for up to 200,000 sq. feet of new space.

Land Use and Community Facilities 2.2 - Protect the neighborhoods by providing them with

the necessary improvements to enable infill development and redevelopment.

Land Use and Community Facilities 4.3 - Reinforce Neighborhood Commercial nodes at cross streets.

6. **Size of Tract:** The 0.403 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant intends to operate a Corner/Grocery Store while maintaining the existing structure.