



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 21, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**

ZONING CASE Z-2023-10700023

(Associated Plan Amendment Case PA-2023-11600006)

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 21, 2023

**Case Manager:** Adolfo Gonzalez

**Property Owner:** Ernest S. Ramirez

**Applicant:** Ernest S. Ramirez

**Representative:** Ernest S. Ramirez

**Location:** 8000 SE Loop 410

**Legal Description:** 10.588 acres out of NCB 10881

**Total Acreage:** 10.588

**Notices Mailed****Owners of Property within 200 feet: 7****Registered Neighborhood Associations within 200 feet:** Southeast Side Neighborhood Association**Applicable Agencies:** Texas Department of Transportation**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 25568, dated September 18, 1957, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 70570, dated November 9, 1989 to "R-A" Residence-Agriculture District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-A" Residence-Agriculture District converted to "NP-10" Neighborhood Preservation District. The property was rezoned by Ordinance 2017-09-21-0732, dated September 21, 2017, to the current "R-4" Residential Single-Family District.

**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:** "R-4"**Current Land Uses:** Vacant Property**Direction:** East**Current Base Zoning:** "C-2" and "I-1"**Current Land Uses:** Vacant Property**Direction:** South**Current Base Zoning:** "R-4"**Current Land Uses:** Vacant Property**Direction:** West**Current Base Zoning:** "R-4"**Current Land Uses:** Vacant Property**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:**

None.

**Transportation**

**Thoroughfare:** Loop 410

**Existing Character:** None

**Proposed Changes:** None known.

**Thoroughfare:** IH-37

**Existing Character:** None

**Proposed Changes:** None known.

**Public Transit:** There are no VIA bus routes are 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:** Minimum parking requirements can be found in Chapter 35, Article 5, for various commercial use types.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-4" Single-Family Districts allow 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: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**

None.

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

The subject property is located with the Brooks Area Regional Center and not within ½ a mile from the Premium Transit Corridor

**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 Brooks Area Regional Center Plan and is currently designated as "Agricultural" in the future land use component of the plan. The requested "C-3" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Regional Mixed Use". Planning Commission recommendation is pending the March 22, 2023 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 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 "C-3" General Commercial District is also an appropriate zoning for the property and surrounding area. The surrounding properties are currently vacant. A large portion of the area, including the majority of the subject property, are located within a flood zone. The applicant is aware that any future development on the property would require several extensive development processes before even becoming feasible for development, including but not limited to unflooded access to the property and a Letter of Map Revision (LOMR) for the floodplain.
- 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 of the Brooks Area Regional Center Plan.

Relevant Goals, Objectives and Action Steps of the Brooks Area Regional Center Plan include:

- Land Use Recommendation #3: Evaluate, and update as needed, zoning and development regulations that impede implementation of Brooks Area Regional Center Plan land uses and desired urban form.
  - Focus Area Recommendation #4: Balance development and investment in Focus Areas with protection and enhancements of open spaces, including parks, natural resources and other sensitive areas.
  - Economic Development Recommendation #2: Diversify employers and job opportunities in the Brooks Area Regional Center
- 6. Size of Tract:** The 10.588 acre site is of sufficient size to accommodate the future commercial development.
  - 7. Other Factors:** The majority of the property is located within the flood zone. Several development processes, surveys and permitting will be required prior to construction of any structures on the property. The owner is rezoning in an attempt to make the property more marketable and suited to uses that can be developed despite the challenges of the floodplain.