



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 1, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**  
ZONING CASE Z-2023-10700161

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

**Requested Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** August 1, 2023

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** Rampart Rockers LLC

**Applicant:** Liberty Builders LLC

**Representative:** Liberty Builders LLC

**Location:** 123 East Rampart Drive

**Legal Description:** Lot 32, NCB 12025

**Total Acreage:** 2.27 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** Shearer Hills/Ridgeview  
Neighborhood Association

**Applicable Agencies:** Planning Department, San Antonio International Airport

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952 and zoned "A" Single-Family Residence District. The property was rezoned by Ordinance 23083, dated June 14, 1956 to "H" Local Retail District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "H" Local Retail District converted to the current "C-3" General Commercial District.

**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:** "C-3"

**Current Land Uses:** Restaurant, Escape room, Apartments

**Direction:** South

**Current Base Zoning:** "MF-33" "R-5"

**Current Land Uses:** Apartments, Elementary school

**Direction:** East

**Current Base Zoning:** "C-3", "MF-33"

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** "C-3"

**Current Land Uses:** Adult Education Center, School, Apartments

### **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:**

No special district information.

### **Transportation**

**Thoroughfare:** East Rampart Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Birchleaf  
**Existing Character:** Local Street  
**Proposed Changes:** None Known

**Public Transit:** There are VIA bus routes within walking distance of the subject property.  
**Routes Served:** 4, 5, 204

**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 multi-family development is 1.5 spaces per unit.

**ISSUE:**  
None.

**ALTERNATIVES:**

Current Zoning: C-3 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.

Proposed Zoning: Any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

**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 Looper Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 North Central Community Plan and is currently designated as “Mixed Use” in the future land use component of the plan. The requested “MF-33” 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. The property accommodates an apartment building that is existing nonconforming. Additionally, the surrounding area accommodates other multi-family developments.
3. **Suitability as Presently Zoned:** The current “C-3” General Commercial District is a consistent zoning for the surrounding area; however, the “C-3” base zoning district does not accommodate multi-family residential uses. The proposed “MF-33” Multi-Family District is more appropriate for the property and surrounding area, as the property accommodates an existing apartment building. The proposed multi-family residential zoning designation would bring the development into compliance. Additionally, with consideration to the existing multi-family properties, the school, and the other various civic oriented uses, the “C-3” base zoning district could potentially introduce incompatible land uses in close proximity to one another.
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 SA Tomorrow UTSA Area Regional Center Plan:
  - GOAL 3: Maintain and preserve the quality of the existing residential and commercial properties through the encouragement of rehabilitation and code compliance.
    - Objective 3.1: Promote the maintenance of existing properties.
    - Objective 4.1: Discourage encroachment of businesses into existing residential neighborhoods.
6. **Size of Tract:** The subject property is 2.27 Acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The applicant intends to rezone to “MF-33” to bring an existing multi-family development into compliance.

The subject property is 2.27 acres in size. At a density of thirty-three (33) units per acre, a total of 75 units would be permitted on the property.