

24. ZONING CASE Z-2024-10700329 CD (Council District 3): A request for a change in zoning from "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Food Processing Facility to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Food Products - Wholesale and Storage on Lot 19, Block 8, NCB 10943, located at 1031 Hot Wells Boulevard. Staff recommends Approval. (Samantha Benavides, Zoning Planner, 210-207-6034, Samantha.Benavides@sanantonio.gov, Development Services Department)



City of San Antonio

Agenda Memorandum

Agenda Date: January 21, 2025

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon, Director

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2024-10700329 CD

SUMMARY:

Current Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Food Processing Facility

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Food Products - Wholesale and Storage

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: January 21, 2025

Case Manager: Samantha, Benavides, Zoning Planner

Property Owner: Activa SA Properties LLC

Applicant: Salvador Romo

Representative: Beto Tentori

Location: 1031 Hot Wells Boulevard

Legal Description: Lot 19, Block 8, NCB 10943

Total Acreage: 1.14 acres

Notices Mailed

Owners of Property within 200 feet: 36

Registered Neighborhood Associations within 200 feet: Highland Hills Neighborhood Association

City-Wide Community Organizations: T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous

Applicable Agencies: N/A

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned “B” Residence District. A portion of the property was rezoned by Ordinance 34864, dated October 6, 1966, from “B” Residence District to “I-1” Light Industry District. A portion of the property was rezoned by Ordinance 49138, dated March 16, 1978, from “B” Residence District to “I-1” Light Industry District. A portion of the property was rezoned by Ordinance 52698, dated August 23, 1980, from “B” Residence District to “B-1” Business District. A portion of the property was rezoned by Ordinance 78556, dated August 26, 1993, from “B” Residence District to “O-1” Office District. A portion of the property was rezoned by Ordinance 93210, dated January 1, 2001, from “O-1” Office District to “B-3NA SUP” Nonalcoholic Sales, Business District with a Specific Use Permit for Food and Dairy Products processing, Packaging and Storage. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned “I-1” Light Industry District converted to “I-1” General Industrial District, the property zoned “O-1” Office District converted to “O-2” High-Rise Office District, and the property zoned “B-3NA SUP” Nonalcoholic Sales, Business District with a Specific Use Permit for Food and Dairy Products processing, Packaging and Storage converted to “C-3NA CD” General Commercial Nonalcoholic Sales District with a Conditional Use for for Food and Dairy Products processing, Packaging and Storage. A portion of the property was rezoned by Ordinance 2018-12-06-0982, dated December 6, 2018, from “O-2” High-Rise Office District and “C-3NA CD” General Commercial Nonalcoholic Sales District with a Conditional Use for for Food and Dairy Products processing, Packaging and Storage to “C-2 CD” Commercial District with a Conditional Use for Food Products – Processing. A portion of the property was rezoned by Ordinance 2022-04-21-0289, dated April 21, 2022, from “C-2 CD” Commercial District with a Conditional Use for Food Products – Processing and “I-1” General Industrial District to the current “C-2 CD” Commercial District with a Conditional Use for Food Processing Facility.

Code & Permitting Details:

Minor Plat – Ardenwood (Replat) (2000000296) April 2000

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “R-4”, “I-1”, “C-2”, “C-3”

Current Land Uses: Food Service Establishment, Single-Family Dwellings, Auto Repair Shop, Church

Direction: East
Current Base Zoning: "C-2", "I-1"
Current Land Uses: Offices, Retail

Direction: South
Current Base Zoning: "R-4", "I-1", "C-2", "C-2 CD for Construction Trades Contractors"
Current Land Uses: Vacant, Single-Family Dwellings, Granite Counter Fabrication, Auto Repair Shop

Direction: West
Current Base Zoning: "R-4 CD for a Non-Commercial Parking Lot", "R-4"
Current Land Uses: Vacant, Church, Single-Family Dwellings

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:

N/A

Transportation

Thoroughfare: Hot Wells Boulevard
Existing Character: Collector Secondary Arterial B
Proposed Changes: None known

Thoroughfare: Goliad Road
Existing Character: Minor Secondary Arterial B
Proposed Changes: None Known

Public Transit: There are VIA bus routes within a ½ mile of the subject property.
Routes Served: 34, 232, 32

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 requirements for FOOD PRODUCTS - wholesale and storage is 1 unit per 600 sf GFA.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "C-2 CD" Commercial Districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses:

liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "CD" Conditional Use is for a Food Processing Facility.

Proposed Zoning: "C-2 CD" Commercial Districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "CD" Conditional Use is for Food Products - Wholesale and Storage.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Brooks Regional Center, but is not within ½ a mile from a 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.

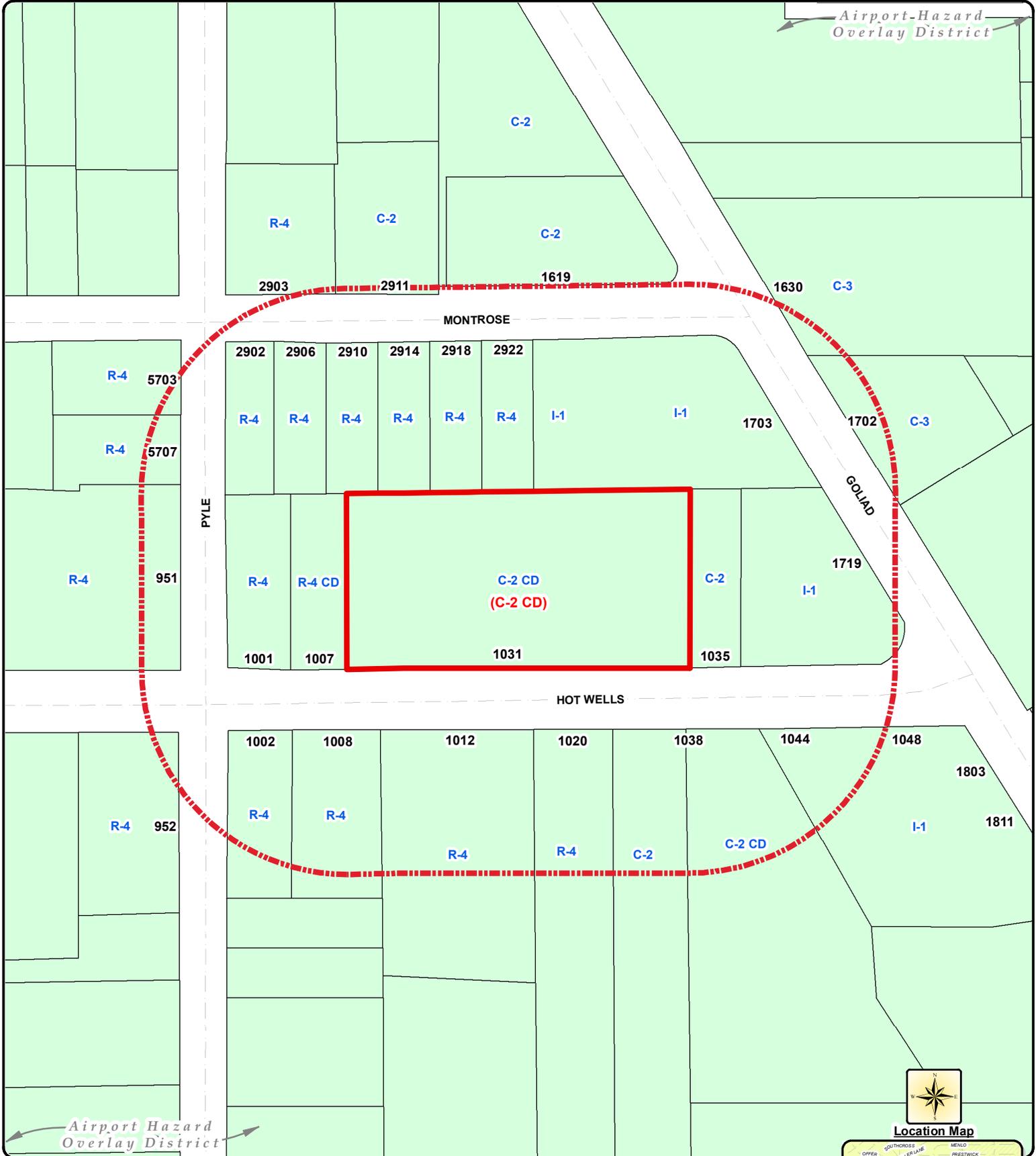
- 1. Consistency:** The subject property is located within the Brooks Area Regional Center Plan, adopted in 2019, and is currently designated as "Urban Mixed Use" in the future land use component of the plan. The requested "C-2 CD" base zoning district is consistent with the future land use designation.
- 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. Surrounding properties are zoned "I-1" General Industrial District, "C-2" Commercial District, "C-3" General Commercial District, and "R-4" Residential Single-Family District.
- 3. Suitability as Presently Zoned:** The existing "C-2 CD" Commercial District with a Conditional Use for a Food Processing Facility is an appropriate zoning for the property and surrounding area. The proposed "C-2 CD" Commercial District with a Conditional Use for Food Products - Wholesale and Storage is also appropriate. The property was previously used as a Food Processing Facility and is currently developed to accommodate the requested use. The surrounding area is comprised of other commercial and industrial zones making the

proposal consistent with what is present in the area. Additionally, given that the property is located in front of a collector secondary arterial, staff finds that it meets the locational requirements to accommodate traffic. The applicant will have to adhere to the prescribed site plan required for Conditional Use zoning, and any deviation from the approved document could potentially warrant additional council consideration.

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. Relevant Goals and Policies of the Brooks Area Regional Center Plan may include:
 - Goal 3: Reinvestment, Retention & Responsibility
 - o Honor the history of innovation and technology by supporting incubators, start-ups, and local business.
6. **Size of Tract:** The 1.14 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant is rezoning to develop a wholesale and storage facility for food products.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.



Airport-Hazard Overlay District

Airport Hazard Overlay District



Location Map



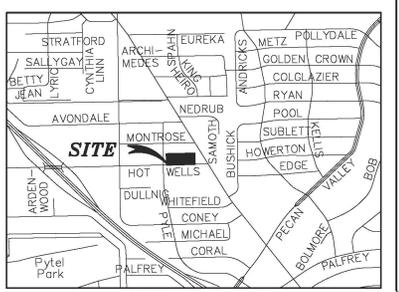
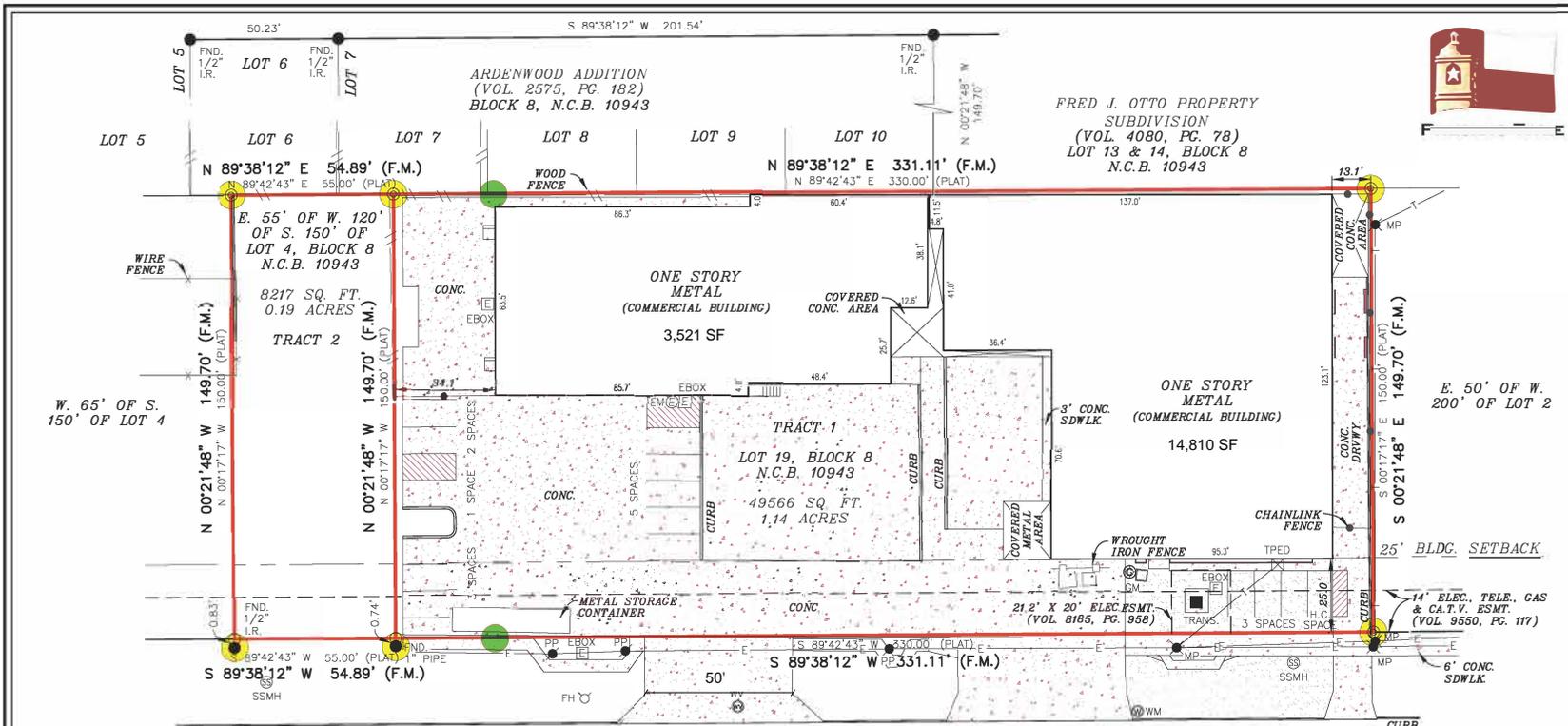
Zoning Case Notification Plan

Case Z-2024-10700329 CD

Council District: 3
 School District: San Antonio I.S.D.
 Scale: 1" = 125 Feet

Legend

- Subject Property(ies).....
- 200 Ft. Notification Area.....
- Single Family Residential..... **1R**
- Current Land Use Description..... **TEXT**
- Current Zoning..... **TEXT**
- Requested Zoning Change..... **(TEXT)**
- Creek / River Region.....
- City Limits.....
- Corridor Overlay.....
- ERZD Region.....
- MLOD Region.....
- AHOD Region.....



LEGEND

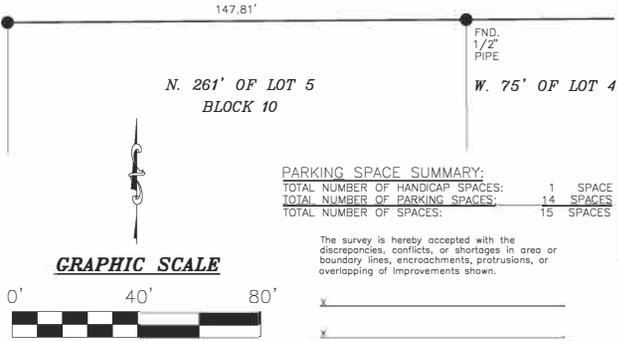
These standard symbols will be found in the drawing.

	BOUNDARY LINE
	EASEMENT LINE
	BUILDING SETBACK LINE
	CHAINLINK FENCE
	WOOD FENCE
	WIRE FENCE
	WROUGHT IRON FENCE
	OVERHEAD ELECTRIC
	OVERHEAD TELEPHONE
	SET IRON ROD
	POINT OF REFERENCE
	FOUND IRON ROD
	POWER POLE
	METER POLE
	WATER METER
	WATER VALVE
	FIRE HYDRANT
	SANITARY SEWER MANHOLE
	GAS METER
	TRANSFORMER
	ELECTRIC BOX
(PLAT)	RECORDED ON PLAT
(F.M.)	FIELD MEASURED

Case #: Z-2024-10700329 CD
 Zoning Request: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Food Processing Facility to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Food Products - Wholesale and Storage Container: 5,521 SF
 Impervious Coverage: 1.136 AC
 Parking: 9' x 18'; 15 Parking Spaces
 No Landscaping
 6-ft Chain Link Perimeter Fence

HOT WELLS BOULEVARD
 (100' R.O.W.)

"I, Activa SA Properties LLC, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permits."



SURVEYOR'S NOTE
 BASIS OF BEARING, TEXAS SOUTH CENTRAL NAD 83.
 FLOOD INSURANCE NOTE: By graphics plotting only, this property is in ZONE X of the Flood Insurance Rate Map, Community Panel No. 48029C 0580 G effective date of SEPTEMBER 29 2010. Exact designations can only be determined by a Elevation Certificate. Based on the above information, this property IS NOT in a Special Flood Hazard Area.

I, **ROY JOHN RONNFELDT**, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to **STEWART TITLE GUARANTY COMPANY** and that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).
 Borrower/Owner: **MARIA DE LOURDES SOBRINA**
 Address: **1031 HOT WELLS BOULEVARD** GF No. **117704**
Legal Description of the Land:
 See above.

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN:
 VOLUME 472, PAGE 122, DEED RECORDS, BEXAR COUNTY, TEXAS
 VOLUME 587, PAGE 623, DEED RECORDS, BEXAR COUNTY, TEXAS
 VOLUME 596, PAGE 393, DEED RECORDS, BEXAR COUNTY, TEXAS
 VOLUME 2773, PAGE 600, DEED RECORDS, BEXAR COUNTY, TEXAS
 VOLUME 8185, PAGE 958, DEED RECORDS, BEXAR COUNTY, TEXAS



FINAL "AS-BUILT" SURVEY

JOB NO.:	1208011537	NO.	REVISION	DATE
DATE:	08/23/12			
DRAWN BY:	MN/MR			
APPROVED BY:	RJR			

ROY JOHN RONNFELDT
 3520
 PROFESSIONAL LAND SURVEYOR

Roy Ronnfeldt
 ROY JOHN RONNFELDT, R.P.L.S.
 Registered Professional Land Surveyor
 Registration No. 3520

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