



City of San Antonio

Agenda Memorandum

Agenda Date: April 16, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2024-10700056

SUMMARY:

Current Zoning: "I-1 AHOD" General Industrial Airport Hazard Overlay District

Requested Zoning: "C-1 AHOD" Light Commercial Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 16, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Big Contracting & Construction LLC

Applicant: Ian Riles

Representative: Ian Riles

Location: 206 Virginia Boulevard

Legal Description: 0.057 acres of NCB 649

Total Acreage: 0.057 acres

Notices Mailed

Owners of Property within 200 feet: 28

Registered Neighborhood Associations within 200 feet: Denver Heights Neighborhood Association

Applicable Agencies: TxDOT

Property Details

Property History: The subject property was part of the original 36 square miles of the City of San Antonio and zoned “L” First Manufacturing District. The property was rezoned by Ordinance 79329, dated December 16, 1993, from “L” First manufacturing District to “I-1” Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “I-1” Light Industry District converted to the current “I-1” General Industrial District.

Code & Permitting Details:

MEP Trade Permits Application (MEP-TRD-APP22-33139195) December 2022

Nonconforming Use Application (ZONING-NCU-APP-2022-11200129) September 2022

MEP Trade Permits Application (MEP-TRD-APP21-33105330) February 2021

Minor Building Repair Application (REP-MBR-APP22-35011060) September 2022

Electrical TOPS Permit (MEP-TOP-PMT21-33605330) February 2021

Electrical General Permit (MEP-ELE-PMT22-33336128) November 2022

MEP Trade Permits Application (MEP-TRD-APP22-33136128) November 2022

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: “I-1”, “I-2”

Current Land Uses: Residential dwelling unit, Warehouse

Direction: East

Current Base Zoning: “I-1”

Current Land Uses: Vacant, Residential dwelling unit

Direction: South

Current Base Zoning: “I-1”

Current Land Uses: Vacant, Residential dwelling unit

Direction: West

Current Base Zoning:

Current Land Uses: Residential dwelling unit, Restaurant

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: Virginia Boulevard

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Hoefgen Avenue

Existing Character: Collector

Proposed Changes: None Known

Public Transit: There are VIA bus routes within a ½ mile of the subject property.

Routes Served: 77

Traffic Impact: A TIA study may be required based on the information provided at time of platting and/or permitting. The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502.

A TIA Report is Not Required.

Parking Information: The minimum parking requirement for Assisted Living Facility, Boarding Home Facility, or Community Home with no more than 16 residents is 0.3 spaces per bed plus 1 space for each employee.

Thoroughfare: Virginia Boulevard

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Hoefgen Avenue

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Proposed Changes: None Known

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ISSUE:
None

ALTERNATIVES:

Current Zoning: The general industrial district accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

Proposed Zoning: C-1 districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

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

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial with an Alternate Recommendation of “MF-18” Limited Density Multi-Family District.

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 Downtown Regional Center Plan, adopted in 2019, and is currently designated as "Employment/Flex Mixed Use" in the future land use component of the plan. The requested "C-1" Light Commercial base zoning district is not consistent with the current land use and residential in the surrounding area.
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 change is not consistent with the established development pattern of the surrounding area. Surrounding properties are zoned “I-1” General Industrial District with predominately residential uses. Even though the property is down zoning to the proposed “C-1” Light Commercial District, an alternate recommendation of “MF- 18” Limited Density Multi- Family District is found to be more suitable for the area.
3. **Suitability as Presently Zoned:** The existing "I-1" General Industrial District is an appropriate zoning for the property and surrounding area. The proposed "C-1" Light Commercial District is not an appropriate zoning. If approved, the proposal would allow for higher intense uses in a residentially dominant area. “MF-18” Limited Density Multi-Family

District will still accommodate the applicants request for Assisted Living Facility, Boarding Home Facility or Community Home. Furthermore, it will prevent commercial encroachment into the established residential portion of the street, keeping the industrial and commercial uses bordering the railway east of the subject property.

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. Relevant Goals and Policies from the Comprehensive Plan may include: - H Goal 2 – A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels. - H Goal 5 – High-density housing choices are available within the city’s 13 regional centers and along its arterial and transit corridors. Relevant Goals and Policies from the Downtown Regional Center Plan may include: - Goal 4 Diversify the Mix of Uses in the Downtown Core. - Goal 6 Broaden the Diversity of Housing Options throughout the Downtown Core and its Neighborhoods.
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 - H Goal 5 – High-density housing choices are available within the city’s 13 regional centers and along its arterial and transit corridors.

Relevant Goals and Policies from the Downtown Regional Center Plan may include:

- Goal 4 Diversify the Mix of Uses in the Downtown Core.
 - Goal 6 Broaden the Diversity of Housing Options throughout the Downtown Core and its Neighborhoods.
6. **Size of Tract:** The 0.057 acre site is of sufficient size to accommodate the proposed commercial development.
 7. **Other Factors:** The applicant intends to rezone to “C-1” to allow for Assisted Living Facility, Boarding Home Facility or Community Home. No access may be allowed onto IH 37.

As per TxDOT’s assessment, no access may be allowed onto IH 37.