



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1656

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/21/2014

**Title:** ZONING CASE # Z2014173 (District 2): An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on 0.5736 of an acre out of NCB 16549 located on a portion of 9003 Interstate Highway 10 East. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14052)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014173.pdf, 2. Z2014-173.pdf, 3. Ordinance 2014-08-21-0623

Date	Ver.	Action By	Action	Result
8/21/2014	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**SUBJECT:**

Zoning Case Z2014173

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 15, 2014

**Case Manager:** Trenton Robertson, Planner

**Property Owner:** D & F Moody, Ltd. (by David Moody)

**Applicant:** Carol Bausinger

**Representative:** Carol Bausinger

**Location:** A portion of 9003 Interstate Highway 10 East

**Legal Description:** 0.5736 of an acre out of NCB 16549

**Total Acreage:** 0.5736

**Notices Mailed**

**Owners of Property within 200 feet:** 4

**Registered Neighborhood Associations within 200 feet:** None

**Planning Team:** IH-10 East Corridor Perimeter Plan - 29

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed in 1974 and was originally zoned “R-1” Single Family Residence District. In a 1985 case, the property was rezoned to “B-3” Business District and “I-1” Light Industry District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "C-3" General Commercial District and "I-1" General Industrial District. The subject property consists of 0.5736 of an acre out of a 2.3-acre lot that was platted in 1998 (volume 9541, page 79). According to the Bexar County Appraisal District the existing commercial/industrial structure was built in 1998.

The purpose of the rezoning request is to allow the use of an electric fence on the property. Chapter 10 of the City Code regulates electric fences, and allows their use only in industrial zoning districts.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “I-1”

**Current Land Uses:** Truck sales

**Direction:** East

**Current Base Zoning:** “I-1” and “C-3”

**Current Land Uses:** Parking lot and chrome shop

**Direction:** West

**Current Base Zoning:** “I-1” and “C-3”

**Current Land Uses:** Parking lot and truck parts & repair

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** IH-10 East

**Existing Character:** Freeway; two lanes in each direction with three-lane access roads

**Proposed Changes:** None

**Public Transit:** There are no public transit lines in the area.

**Traffic Impact:** A TIA report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Off-street vehicle parking requirements are typically determined by the type and size of use. The property is fully developed as a truck sales; there is no change of use proposed. The rezoning request is meant to allow the use of an electric fence on the subject property.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the zoning request will result in the subject property retaining the current split commercial and industrial zoning.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (9-0) recommend approval pending the plan amendment.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is located within the I-10 East Corridor Perimeter Plan and is currently designated as Parks/Open Space in the future land use component of the plan. The requested "I-1" General Industrial District is not consistent with the adopted land use designation. A plan amendment has been submitted, requesting to change the future land use designation to Industrial. The Industrial designation is meant to accommodate industrial development located along freeway frontage roads. Staff and Planning Commission recommend approval of the plan amendment request.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The abutting properties are zoned for and developed as industrial uses.

**3. Suitability as Presently Zoned:**

Both the current and proposed zoning districts are appropriate for the subject property. The subject property is located along the IH-10 East freeway frontage road which generally accommodates general industrial and commercial uses. This portion of the IH-10 corridor has been established for industrial uses such as truck repair and sales.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

Should the requested plan amendment be approved, the request does not appear to conflict with any public

policy objective.

**6. Size of Tract:**

The subject property is 0.573 of an acre in size; however, it is a small portion of a much larger lot that already carries industrial zoning. The property is fully developed and no change of use is proposed.

**7. Other Factors:**

Chapter 10, Section 10-53(d) regulates the installation, use, and maintenance of electric fences within the City of San Antonio. The regulations include, but are not limited to, height limits, warning signage, non-electrified barriers, location related to public walk ways and rights-of-way, hours of operation, and permit requirements.