



# City of San Antonio

## Legislation Details (With Text)

**File #:** 13-850

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/21/2013

**Title:** ZONING CASE # Z2013216 (District 5): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on 1.106 acres out of NCB 8114 and NCB 12771 located at 1334 South General McMullen Drive. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2013-216, 2. Z2013216, 3. Ordinance 2013-11-21-0825

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 5

**SUBJECT:**

Zoning Case Z2013216

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 15, 2013

**Case Manager:** Pedro Vega, Planner

**Property Owner:** DAS 27 Properties, LLC

**Applicant:** David Steiner (Managing Member)

**Representative:** David Steiner (Managing Member)

**Location:** 1334 South General McMullen Drive

**Legal Description:** 1.106 acres out of NCB 8114 and NCB 12771

**Total Acreage:** 1.106

**Notices Mailed**

**Owners of Property within 200 feet:** 41

**Neighborhood Associations:** None

**Planning Team Members:** None

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed in July of 1945, and was originally zoned "JJ" Commercial District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-1" General Industrial District. The property is currently developed with multiple office and warehouse structures, totaling approximately 10,556 square feet in size, along with multiple sheds and partially enclosed areas. The structures were built between 1960 and 1985. The property is not platted in its current configuration.

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

**Adjacent Zoning and Land Uses**

**Direction:** East and North

**Current Base Zoning:** "R-4", "MF-33" and "R-6"

**Current Land Uses:** Single-Family Dwellings, Two-Family Dwellings and Undeveloped Lots

**Direction:** West

**Current Base Zoning:** "R-5", "C-2NA", "R-6" and "MF-33"

**Current Land Uses:** Auto Sales, Single-Family Dwellings, Restaurant, Parking Lot, Bar and Undeveloped Lots

**Direction:** South

**Current Base Zoning:** "C-2" and "MF-33"

**Current Land Uses:** Vacant Lot and Single-Family Dwelling

**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:** South General McMullen

**Existing Character:** Primary Arterial Type A; 3 lanes in each direction with center turn lanes, and sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Patton Boulevard

**Existing Character:** Local Street; one lane in each direction with sidewalks; no access to General McMullen

**Proposed Changes:** None known

**Public Transit:** The VIA bus line 524 operates along South General McMullen Drive, with multiple stops near the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) 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 rezoning application generally refers to proposed general commercial uses. Therefore, staff cannot calculate the parking requirement at this time.

**ISSUE:**

None

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current industrial zoning, restricting future land uses to those permissible in the "I-1" zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend approval.

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

**1. Consistency:**

The subject property is not located within a Neighborhood, Community or Sector Plan area; therefore, a finding of consistency is not required.

**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 subject property has long been used for light industrial uses, but the buildings are currently vacant with the exception of welding services. Approval of commercial zoning for the property will allow reuse of the underutilized buildings. The proposed re-use of the existing vacant buildings would be a substantial improvement to the current conditions of the site.

**3. Suitability as Presently Zoned:**

The existing "I-1" General Industrial District is inappropriate for the area. The "I-1" zoning district is meant to accommodate areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Uses allowed in "C-3NA" would be more consistent with the existing pattern of development in the area. Although the subject property abuts single-family residential uses, it is also located at the intersection South General McMullen and US Highway 90 West. Major intersections are the most appropriate location for regional commercial uses such as those allowed in the "C-3NA" zoning district.

**5. Public Policy:**

The property is located within the Inner City Reinvestment Policy (ICRIP) area. The purpose of the ICRIP is to

promote growth and development in the inner city, specifically in areas that are currently served by public infrastructure and transit, but underserved by residential and commercial real estate markets.

The "NA" Nonalcoholic Sales designation will prohibit the sale of alcohol on the subject property. The property had previously been an ornamental iron and fence company for many years. The request supports the City Master Plan, which encourages the preservation and revitalization of vacant buildings in older neighborhoods located inside Loop 410.

**6. Size of Tract:**

The subject property is 1.106 acres and appears to be of sufficient size to accommodate the uses permitted in the "C-3NA" district and the typical required parking.

**7. Other Factors:**

Staff believes that the existing "I-1" zoning district is not compatible with the commercial character of South General McMullen Drive and that the subject property is unlikely to be utilized for industrial uses. Staff finds this request reasonable and beneficial for the community. Considering the frontage the subject property maintains, commercial uses would be better suited at this location than industrial uses.