



# City of San Antonio

## Agenda Memorandum

**File Number:** 18-2054

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**Agenda Item Number:** 26.

**Agenda Date:** 3/6/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018109

(Associated Plan Amendment 18039)

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 06, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Bander Bliss, LLC

**Applicant:** Jerry Arredondo

**Representative:** Jerry Arredondo

**Location:** 5720 Bandera Road

**Legal Description:** Lot 3, Block 4, NCB 14880

**Total Acreage:** 2.397

**Notices Mailed**

**Owners of Property within 200 feet:** 10

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

**Applicable Agencies:** Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned “R-1” Single-Family Residence District by Ordinance 39659, dated August 12, 1971. The property was rezoned from “R-1” to “I-1” Light Industrial District by Ordinance 43276, dated January 17, 1974. A portion of the property was rezoned from “I-1” to “B-3” Business District by Ordinance 80958, dated October 13, 1994. The property converted from “I-1” Light Industrial District and “B-3” Business District to the current “I-1” General Industrial District and “C-3” General Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The northern portion of the property is located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “OCL”

**Current Land Uses:** Animal Hospital, School

**Direction:** East

**Current Base Zoning:** “OCL”

**Current Land Uses:** Vacant Lot

**Direction:** South

**Current Base Zoning:** “C-3”, “OCL”

**Current Land Uses:** Parking Lot, Bingo Parlor

**Direction:** West

**Current Base Zoning:** “C-3”

**Current Land Uses:** Fast Food Establishment

**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:** Bandera Road

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Stemmons Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 550 and 607 are within walking distance of 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:**

The minimum parking required is 1 parking space per 300 square feet GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-3” General Commercial and “I-1” General Industrial District.

“C-3” General Commercial 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.

“I-1” General Industrial Districts accommodate 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.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The property is not within a Regional Center. The property is within a ½ of a mile of the Bandera Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 subject property is located within the West/Southwest Sector Plan and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “C-3” General Commercial District is not consistent with the future land use designation. The applicant is requesting a land use amendment from “General Urban Tier” to “Regional Commercial” to accommodate the proposed rezoning. Staff recommends Approval of the amendment. The Planning Commission recommendation is pending the March 14, 2018 Planning hearing.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The retail center has already been developed and in operation for years. The proposed rezoning will permit the current uses on the property.

**3. Suitability as Presently Zoned:**

The current “I-1” base zoning is not appropriate zoning for the property and surrounding area. The property is located on at Loop 410 West and Bandera Road, a primary arterial. The requested “C-3” is consistent with the area and development trends.

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

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

#### **5. Public Policy:**

The proposed rezoning does not appear to conflict with the goals and objectives of the West/Southwest Sector Plan. The Retail Center is located in an area that is considered a “Regional Center”. The “C-3” General Commercial District is an appropriate base zoning for the area.

Relevant Land Use Goals and Strategies of the West/Southwest Sector Plan:

- Goal ED-1 The West/Southwest Sector is an economically sustainable community in which residents have a variety of employment opportunities
- Goal ED-2 Existing and planned future corridors and accessible, pedestrian commercial nodes contain strong, vibrant business activities with a mix of uses and employment opportunities
- ED-3.1 - Ensure the development of new business locations and employment centers are compatible with the West/Southwest Sector Land Use Plan
- Goal LU-1 Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses

#### **6. Size of Tract:**

The property measures 2.397 acres which currently accommodates the existing Retail Center.

#### **7. Other Factors:**

None.