



# City of San Antonio

## Agenda Memorandum

**File Number:** 14-1571

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**Agenda Item Number:** Z-9.

**Agenda Date:** 8/21/2014

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 4

**SUBJECT:**

Zoning Case Z2014194

**SUMMARY:**

**Current Zoning:** "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District

**Requested Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

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

**Case Manager:** Pedro Vega, Planner

**Property Owner:** DP Real Estate, LP (by James Day, Managing Partner)

**Applicant:** DP Real Estate, LP (by James Day, Managing Partner)

**Representative:** P.W. Christensen, P.C. (Patrick Christensen)

**Location:** A portion of the 7400 Block of South Zarzamora Street

**Legal Description:** 1.181 acres out of Lot 8, NCB 12328

**Total Acreage:** 1.181

**Notices Mailed**

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

**Neighborhood Associations:** None

**Planning Team Members:** Heritage South Sector Plan-38

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property was annexed in March of 1947 and was originally zoned "LL" First Manufacturing District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-2" Heavy Industrial District. The property was platted into its current configuration in 2004 (volume 9562, page 18 of the Deed and Plat Records of Bexar County, Texas). The property is currently undeveloped.

**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 and East

**Current Base Zoning:** "I-2"

**Current Land Uses:** Mall and Retail Stores

**Direction:** South

**Current Base Zoning:** "I-2"

**Current Land Uses:** Vacant Land, Railroad and Restaurant

**Direction:** West across South Zarzamora Street

**Current Base Zoning:** "C-3"

**Current Land Uses:** Restaurant, Railroad and Home Improvement Store

**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 Zarzamora Street

**Existing Character:** Primary Arterial Type A; three lanes in each direction separated by a median for left and right turn lanes with sidewalks.

**Proposed Changes:** None known

**Thoroughfare:** Interstate Highway 35

**Existing Character:** Expressway

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the 520, which operates along South Zarzamora Street.

**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:** Mobile Food Court - Minimum Parking Requirement: 2 per mobile food establishment unit. Maximum Parking Requirement: 5 per mobile food establishment unit.

The proposed use will be subject to the Mobile Food Court supplemental use regulations specified in Section 35-399 of the Unified Development Code.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current heavy industrial zoning classification, restricting future land uses to those permissible in the "I-2" zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (9-0) 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 located within the Heritage South Sector Plan and is currently designated as Mixed Use Center in the future land use component of the plan. The requested "C-2" base zoning district is consistent with the adopted land use designation.

Mixed Use Centers serve Suburban, General Urban, and Rural tiers outside of the Urban Core. Although mixed use developments are encouraged, Community Commercial and Office uses are also appropriate.

**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 current heavy industrial zoning is not representative of the uses in this area.

**3. Suitability as Presently Zoned:**

The existing "I-2" Heavy Industrial District is not consistent with the adopted land use plan. Although much of the surrounding area is zoned for heavy industrial uses, the existing pattern of development is entirely commercial.

The "I-2" Heavy Industrial District accommodates areas of highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The "I-2" district is established in order to provide sites for activities which involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the "L" or "I-1" district. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines.

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

Staff finds no possible negative effects on the health, safety and welfare of the surrounding lands due to the proposed "C-2" Commercial District. The requested commercial zoning is a beneficial down-zoning from the current heavy industrial zoning.

**5. Public Policy:**

The requested zoning change does not appear to conflict with any public policy objectives. The proposed "C-2" district is consistent with the Heritage South Sector Plan, which was adopted by City Council on September 16, 2010.

The "C-2" Commercial District will allow continued development in accordance with the goals of the Heritage

South Sector Plan that encourage commercial, retail and offices along or near major arterials. It also supports the Plan's goal of promoting economic growth in the area along arterials and in established commercial areas.

**6. Size of Tract:**

The subject property is sufficient size for the uses permitted in the "C-2" district, along with the typical required parking.

**7. Other Factors:**

When the 2001 Unified Development Code was adopted many areas of the City of San Antonio that were previously zoned "LL" First Manufacturing District under the 1938 code were converted to "I-2" Heavy Industrial District. As a result, many of the uses in these areas were zoned inappropriately. This inconsistency is a result of cumulative zoning, a zoning practice utilized in San Antonio's original 1938 zoning code.