



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-2399

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/6/2014

**Title:** ZONING CASE # Z2014214 (District 2): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 6, Block 13, NCB 1695 located at 2222 Interstate Highway 35 North. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14071)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-214, 2. Z2014214, 3. Ordinance 2014-11-06-0871

Date	Ver.	Action By	Action	Result
11/6/2014	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**SUBJECT:**

Zoning Case Z2014214

**SUMMARY:**

**Current Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 7, 2014

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Patricia Gomez Monroy Living Trust (by Patricia Gomez Monroy, Trustee)

**Applicant:** Patricia Gomez Monroy Living Trust (by Patricia Gomez Monroy, Trustee)

**Representative:** Patricia Gomez Monroy Living Trust (by Patricia Gomez Monroy, Trustee)

**Location:** 2222 Interstate Highway 35 North

**Legal Description:** Lot 6, Block 13, NCB 1695

**Total Acreage:** 0.1397

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Neighborhood Associations:** Government Hill Alliance

**Planning Team Members:** Government Hill Neighborhood Plan - 10

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the city limits as recognized in 1938 and was originally zoned "C" Apartment District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "MF-33 AHOD" Multi-Family Airport Hazard Overlay District. The property is platted into its current configuration and is undeveloped.

**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:** West

**Current Base Zoning:** "C-2" and "I-1"

**Current Land Uses:** Law Office and Gas Station

**Direction:** East

**Current Base Zoning:** "MF-33" and "C-1"

**Current Land Uses:** Single-Family Dwellings

**Direction:** South across Osburn Street

**Current Base Zoning:** "I-1"

**Current Land Uses:** Single-Family Dwellings, Apartments and Vacant Lots

**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:** Interstate Highway 35 North

**Existing Character:** Expressway; three lanes plus entrance and exit ramps

**Proposed Changes:** None known

**Thoroughfare:** Osburn Street

**Existing Character:** Local Street; one lane in each direction with sidewalks

**Proposed Changes:** None known.

**Thoroughfare:** Benton Street

**Existing Character:** Local Street; one lane in each direction with sidewalks

**Proposed Changes:** None known.

**Thoroughfare:** North New Braunfels Avenue

**Existing Character:** Primary Arterial Type B; two lanes in each direction with sidewalks

**Proposed Changes:** None known.

**Public Transit:** The VIA bus lines 16, 17 and 21, operate along Interstate Highway 35 North.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required because 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 of use and building size. Therefore, accurate parking requirements for the subject property cannot be determined at this time.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current multi-family classification, restricting future land uses to those permissible in the "MF-33" zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) 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 subject property is located within the Government Hill Neighborhood Plan and is currently designated as Neighborhood Commercial. The zoning request is not consistent with the adopted future land use designation. A master plan amendment has been submitted, requesting to change the land use designation to Community Commercial. Staff and Planning Commission recommend approval of the plan amendment request.

Community Commercial provides for medium intensity commercial uses that serve a market on the scale of a community comprised of two or more medium sized neighborhoods. Community commercial uses should be located in a nodal fashion, near the intersection of collectors and arterials, or the intersection of two arterials, or along arterials or higher order streets where already established.

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

Granting of the "C-2" Commercial District is not likely to have an adverse impact on the neighboring lands. The subject property is surrounded by a variety of zoning designations, ranging from multi-family, commercial to industrial. This area is in the process of revitalization and rezoning the property will encourage and promote the revitalization goals of the neighborhood.

When commercial zoning districts abut single-family residential zoning or uses, building setbacks and landscape buffers are required to mitigate the effects of increased traffic, noise, and lighting from the

commercial development. The "C-2" district requires a 30-foot rear setback, a 10-foot side setback and 15-foot wide landscape buffer where the commercial zoning district abuts a residential zoning district.

### **3. Suitability as Presently Zoned:**

Both the current "MF-33" Multi-Family District and proposed "C-2" Commercial District are both appropriate for the subject property. Staff believes future single-family residential development is unlikely due to the property's location on a Interstate Highway. The proposed "C-2" Commercial District will not change the overall character of the community.

The proposed zoning is appropriate given the location and proximity to the intersection of Interstate Highway 35 North and North New Braunfels Avenue a commercial node.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to the "C-2" Commercial District.

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

Should the plan amendment request be approved, the request does not appear to conflict with any public policy objective. The Community Commercial classification will allow continued development in accordance with the goals and objectives of the Government Hill Neighborhood Plan.

The zoning change request is in accordance with the City's Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth. Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410.

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

The subject site is 0.1397 of an acre in size. The small size of the property and the limited amount of parking should serve to limit the overall scale of the proposed use and its impact on the surrounding neighborhood.

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

The proposed zoning request could be appropriate at this location because it is an adaptive and beneficial use of the undeveloped lot. The "C-2" designation for the property is not out of character given the commercial uses along Interstate Highway 35 North.