



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3072  
**Type:** Zoning Case  
**In control:** Zoning Commission  
**On agenda:** 5/17/2016  
**Title:** ZONING CASE # Z2016149 (Council District 5): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 0.989 acres out of NCB 3736, located at 4407 IH 35 S Expressway. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 16040)  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Z2016149 Location Map

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2016149  
(Associated Plan Amendment PA 16040)

**SUMMARY:**

**Current Zoning:** "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:** May 17, 2016

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** Sagrario Flores

**Applicant:** Patricia Flores

**Representative:** Patricia Flores

**Location:** 4407 IH 35 South Expressway

**Legal Description:** 0.989 acres out of NCB 3736

**Total Acreage:** 0.989

**Notices Mailed**

**Owners of Property within 200 feet:** 15

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City Limits on September 23, 1944 and was originally zoned "C" Apartment District. On September 21, 1972, the property was rezoned to "I-1" Light Industrial District. Upon the adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "I-1" General Industrial District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** West, North

**Current Base Zoning:** R-5, R-5S

**Current Land Uses:** Church, Cell Towers, ROW, single-family home

**Direction:** East, South

**Current Base Zoning:** ROW, C-3 S, R-5

**Current Land Uses:** ROW, Auto Repair, Auto Sales, and Cemetery

**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 South

**Existing Character:** Freeway 250' - 500'

**Proposed Changes:** None known

**Thoroughfare:** Gladstone St.

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** VIA bus routes 46 at Gladstone Avenue and Collingsworth Avenue.

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

**Parking Information:** Retail Center: The permitted uses vary for this location. See Section 35-526 of the San Antonio Unified Development Code for minimum and maximum vehicle parking spaces requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending 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 Nogalitos/South Zarzamora Community Plan and is designated as Mixed Use. The requested "C-3" zoning district is not consistent with the adopted land use designation. The applicant has requested a plan amendment to Regional Commercial. Staff and Planning Commission recommend Approval.

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

Staff has found no evidence of likely adverse impacts on surrounding properties.

**3. Suitability as Presently Zoned:**

The requested "C-3" district is appropriate for the subject property located adjacent to a Freeway. Currently there is a retail center within the property. The applicant wants to bring the uses into compliance with zoning. The site location is on Interstate Highway 35 South and it adjacent to similar land uses.

**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 request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property is 0.9895 acres in size, which accommodates the proposed development with adequate space for parking.

**7. Other Factors:**

Staff recommends a "C-3R" General Commercial Restrictive Alcoholic Sales District to prevent incompatible uses near a residential neighborhood.