



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-1039  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 1/19/2017  
**Title:** ZONING CASE # Z2017009 (Council District 3): An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Welding Shop on the North 100 feet of Lot 4, Block 14, NCB 3232, located at 116 E. Malone Street. Staff and Zoning Commission recommend Denial. (Associated Plan Amendment 17004)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Z2017-009 Site Plan, 3. Z2017009 Minutes

Date	Ver.	Action By	Action	Result
1/19/2017	1	City Council A Session	Motion to Cont/Post	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2017009  
(Associated Plan Amendment 17004)

**SUMMARY:**

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

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Welding Shop

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 20, 2016. This case was continued from the December 6, 2016 hearing.

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Laura Bernado Villareal

**Applicant:** Laura Bernado Villareal

**Representative:** Johnny Valadez

**Location:** 116 E. Malone Street

**Legal Description:** North 100 feet of Lot 4, Block 14, NCB 3232

**Total Acreage:** 0.1148

**Notices Mailed**

**Owners of Property within 200 feet:** 21

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

**Applicable Agencies:** None.

**Property Details**

**Property History:** The subject property was included in the original 36 square miles of the City of San Antonio and zoned "C" Apartment District in 1938. In 1996, the property was rezoned to "R-1" Single Family Residence District. With the adoption of the 2001 UDC, the property converted to "R-6" Residential Single-Family District. A 2002 case (96879) rezoned the subject property to "C-3NA" General Commercial Non-Alcoholic Sales District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6 and C-3NA

**Current Land Uses:** Single-Family Residences and Used Auto Sales

**Direction:** West

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

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

**Direction:** South

**Current Base Zoning:** R-6 and C-3NA

**Current Land Uses:** Single-Family Residences and Office Building

**Direction:** East

**Current Base Zoning:** R-6

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

**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:** East Malone

**Existing Character:** Local Road.

**Proposed Changes:** None known.

**Public Transit:** VIA route 44 is located within half a block within 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:** Industrial- Welding Shop- Minimum Vehicle Spaces: 1 per 1,500 sf GFA. Maximum Vehicle Spaces: 1 per 300 sf GFA. Retail- Minimum Vehicle Spaces: 1 per 300 sf GFA. Maximum Vehicle Spaces: 1 per 200 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current "C-3NA" General Commercial Nonalcoholic Sales District.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission recommends Denial. (9-0)

**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 South Central Community Plan, and is currently designated as Low Density Residential in the future land use component of the plan. The requested "IDZ" with uses permitted in "C-2" Commercial District and a Welding Shop, is not consistent with the future land use designation. The applicant has submitted a Plan Amendment to change the land use from Low Density Residential to Mixed Use. Staff and Planning Commission recommend Denial.

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

The proposed zone change is inappropriate given the current urban fabric of the neighborhood, which primarily consists of single-family residences. Staff recognizes the "C-3NA" zoning on adjacent single-family residences next to the subject property. It is ideal that the subject property and eventually the neighboring land be downzoned to residential zoning. Intense uses such as the requested Welding Shop and Commercial would dramatically alter the character of this locality.

**3. Suitability as Presently Zoned:**

The current "C-3NA" base zoning district is an incorrect fit for the single-family residence neighborhood. "C-3" uses are far too intense given the size of the property and the adjacent residential uses.

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

Introducing intense commercial uses on a property surrounded by single-family uses is likely to have an adverse effect on the adjacent property owners.

**5. Public Policy:**

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

**6. Size of Tract:**

The subject property totals 0.1148 acres in size, which would not reasonably accommodate the uses permitted in “IDZ” Infill Development Zone District.

**7. Other Factors:**

The current structures would need modification to meet building code, aside from the zoning.

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.