



City of San Antonio

Agenda Memorandum

File Number: 14-1511

Agenda Item Number: Z-8.

Agenda Date: 8/7/2014

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Council District 3

SUBJECT:

Zoning Case Z2014177

SUMMARY:

Current Zoning: "I-1 AHOD" General Industrial Airport Hazard Overlay District

Requested Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: July 1, 2014

Case Manager: Pedro Vega, Planner

Property Owner: Bernadina Trevino

Applicant: Lisel Aleman

Representative: Lisel Aleman

Location: 483 West Harding Boulevard

Legal Description: The west 50 feet of Lot 82, NCB 9483

Total Acreage: 0.2112

Notices Mailed

Owners of Property within 200 feet: 14

Neighborhood Associations: Harlandale Park Neighborhood Association

Planning Team Members: None

Applicable Agencies: City of San Antonio Aviation Department

Property Details

Property History: The subject property was annexed in March of 1947 and was originally zoned “JJ” Commercial District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-1" General Industrial District. The subject property consists of a single-family dwelling that was constructed in the 1940’s. The property was platted into its current configuration in 1953 (volume 3025, page 318 of the Deed and Plat Records of Bexar County, Texas).

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

Current Base Zoning: “I-1”

Current Land Uses: Single-Family Dwelling and Personal Care Facility

Direction: West

Current Base Zoning: “I-1”

Current Land Uses: Single-Family Dwelling, Retail Center and Uniforms Shop

Direction: East

Current Base Zoning: “MF-33”

Current Land Uses: Single-Family Dwellings

Direction: South across West Harding Boulevard

Current Base Zoning: “I-1” and “MF-33”

Current Land Uses: Single-Family Dwellings, Salon and Auto Parts 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: West Harding Boulevard

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

Proposed Changes: None known

Thoroughfare: Pleasanton Road

Existing Character: Secondary Arterial Type A; two lanes in each direction without sidewalks

Proposed Changes: None known

Public Transit: The nearest VIA bus line is the 44, which operates west of the subject property along Pleasanton Road.

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: Off-street vehicle parking requirements for single-family dwelling are a minimum of 1 space per unit, with no maximum parking.

The rezoning case is meant to bring the existing use into compliance.

ISSUE:

None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the current industrial zoning classification, restricting future land uses to those permissible in the "I-1" zoning district.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (11-0) recommend approval.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on the approval criteria below.

1. Consistency:

The property is not located within a Neighborhood, Community or Sector plan. However, the requested "R-6" Residential Single-Family District is consistent with the surrounding single-family residential neighborhood.

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 "R-6" Residential Single-Family District is meant to bring the existing single-family dwelling into compliance. The current industrial zoning is not representative of the uses in this area.

3. Suitability as Presently Zoned:

The existing industrial zoning district is not appropriate for the subject property or the surrounding neighborhood. Although the neighborhood abuts industrial zoning, the subject property is not of sufficient size to accommodate such uses or the building setbacks and landscape buffers that would be required to protect the surrounding residential uses.

The "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses.

4. Health, Safety and Welfare:

Staff finds no possible negative effects on the health, safety and welfare of the surrounding neighborhood due to the proposed "R-6" Residential Single-Family District.

5. Public Policy:

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

6. Size of Tract:

The subject property is sufficient in size for the current development as a single-family dwelling.

7. Other Factors:

The existing single-family dwelling does not comply with the current industrial zoning district of "I-1" and is now nonconforming. The property owner seeks to bring the property into compliance through rezoning.

Approval will both bring the existing nonconforming use into compliance with the current use provisions of the Unified Development Code (UDC) and allow a modest expansion of the single-family dwelling.

When the 2001 Unified Development Code was adopted many areas of the City of San Antonio that were previously zoned "JJ" Commercial District under the 1938 code were converted to "I-1" General 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.