



City of San Antonio

Agenda Memorandum

File Number: 14-2585

Agenda Item Number: Z-6.

Agenda Date: 11/6/2014

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Council District 2

SUBJECT:

Zoning Case Z2014274

SUMMARY:

Current Zoning: "C-2 AHOD" Commercial Airport Hazard Overlay District and "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: November 4, 2014

Case Manager: Pedro Vega, Planner

Property Owner: Citadel SA Plaza, LLC (Leobardo Trevino)

Applicant: Dulce Rivera

Representative: Dulce Rivera

Location: 4555 Walzem Road

Legal Description: Lot 19 and Lot 20, NCB 12179

Total Acreage: 4.166

Notices Mailed

Owners of Property within 200 feet: 15

Neighborhood Associations: None

Planning Team Members: None

Applicable Agencies: None

Property Details

Property History: The property was annexed in September of 1952 and was originally zoned “J” Commercial District. In a 1981 zoning case, a portion of the 4.166 acre site was rezoned to the "B-2" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-2" Commercial District and "I-1" General Industrial District. The subject property consists of two platted lots that were platted into the current configuration in August of 1981 (Volume 9200, page 163 of the Deed and Plat Records of Bexar County, Texas).

The property is currently occupied with a 44,960 square foot one story building constructed in 1984.

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: North

Current Base Zoning: “I-1”

Current Land Uses: Multi-Family Dwelling

Direction: West

Current Base Zoning: “C-2” and “I-1”

Current Land Uses: Retail Center and Church

Direction: East across Trade Bend

Current Base Zoning: “C-2 IH-1” and “I-1 IH-1”

Current Land Uses: Office Park

Direction: South across Walzem Road

Current Base Zoning: “R-5” and “O-2”

Current Land Uses: Elementary School and Offices

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: Walzem Road

Existing Character: Secondary Arterial Type A; two lanes in each direction with sidewalks

Proposed Changes: None known

Thoroughfare: Trade Bend

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

Proposed Changes: None known

Public Transit: The VIA bus line number 505, operates along Walzem Road.

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 typically are determined by the type of use and building size. Staff cannot calculate parking requirements for the subject property at this time. However, the property as a whole is of sufficient size to accommodate commercial uses and parking.

ISSUE:

None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the current commercial and industrial zoning classifications, restricting future land uses to those permissible in the "C-2" and "I-1" zoning districts.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff recommends approval. Zoning Commission recommendation pending the November 4, 2014 public hearing.

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.

2. Adverse Impacts on Neighboring Lands:

Granting of the "C-3" General 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.

3. Suitability as Presently Zoned:

The existing "I-1" zoning district is not appropriate for the subject property. The "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which may be suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities.

The existing industrial zoning district does not typically allow retail or service uses; therefore, denial of the zoning change request will likely lead to long-term commercial vacancy or the establishment of new industrial uses that are not compatible with the surrounding community.

The proposed "C-3" General Commercial District will not change the overall character of the community.

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-3" General Commercial District. Overall, reducing the intensity of zoning along Walzem Road and Trade Bend will reduce the potential for conflicts with the neighborhood, allowing uses that will better serve the surrounding community.

The "C-3" General Commercial District is a downzoning from the existing "I-1" General Industrial District.

5. Public Policy:

The requested zoning change does not appear to conflict with any public policy objectives.

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 property is of sufficient size (4.166 acres) to accommodate the existing retail uses, the additional proposed uses, as well as required parking. The owner wishes to remodel and have the opportunity to continue productive commercial uses to serve the community.

7. Other Factors:

The proposed zoning request could be appropriate at this location because it is an adaptive and beneficial use of the existing building. The "C-3" designation for the property is not out of character given the commercial uses along Walzem Road and Trade Bend.

The existing shopping center is a nonconforming use due to the adoption of the 2001 Unified Development Code. Prior to May 2011, multi-tenant shopping centers could be registered as a specific type of nonconforming use that allowed change of tenants for individual suites within the center, however, this provision expired. Today, nonconforming use registrations apply only to individual uses and terminate if the individual use stops operating for a period of twelve months or more. Although legal nonconforming uses are recognized by the City of San Antonio, having the proper zoning or bringing the uses into compliance with existing zoning is preferred.

No alcoholic beverages will be sold for consumption on or off the premises, since the subject property is located within 300 feet of an Elementary School.