



# City of San Antonio

## Agenda Memorandum

**File Number:**15-1851

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**Agenda Item Number:** Z-8.

**Agenda Date:** 3/5/2015

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2015071

**SUMMARY:**

**Current Zoning:** "C-3 IH-1 AHOD" General Commercial Northeast Gateway Corridor Airport Hazard Overlay District and "MF-33 IH-1 AHOD" Multi-Family Northeast Gateway Corridor Airport Hazard Overlay District

**Requested Zoning:** "I-1 IH-1 AHOD" General Industrial Northeast Gateway Corridor Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 3, 2015

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Sunshine Investments (by Jose Luis Villarreal Maiz)

**Applicant:** Michael Weiss

**Representative:** Brown & Ortiz, P.C.

**Location:** 10026 N IH 35

**Legal Description:** Lot 1 Block 17, NCB 13778

**Total Acreage:** 8.267

**Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** NA

**Planning Team:** NA

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was originally annexed in 1965 under the 1965 ordinance. In a 1967 case, the eastern portion of the property was rezoned to “R-3” Multiple Family Residence District and the western portion of the property was rezoned to “B-3” Business Districts. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "C-3" General Commercial District and “MF-33” Multi-Family District. The subject property was platted in 1959 (volume 4305, page 187 of the Deed and Plat Records of Bexar County, Texas). The subject property is undeveloped.

**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:** North

**Current Base Zoning:** “C-3 IH-1 AHOD”

**Current Land Uses:** Trailer Sales, Single Family Residences

**Direction:** East

**Current Base Zoning:** “R-6 AHOD”

**Current Land Uses:** Single Family Residences

**Direction:** South

**Current Base Zoning:** “C-3 IH-1 AHOD”, “R-6 AHOD”

**Current Land Uses:** Commercial, Single Family Residences

**Direction:** West

**Current Base Zoning:** ROW

**Current Land Uses:** Freeway

**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.

The Northeast Gateway Corridor District (“IH-1”) provides site development standards for commercial properties up to 1,000 feet of Interstate 35 between Walzem Road and the northern City Limits. The standards primarily address building placement, landscaping, building materials, façade design and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** North IH 35

**Existing Character:** Freeway; divide highway, four lanes each direction with access roads both sides.

**Proposed Changes:** None known

**Thoroughfare:** Eveningway, Rhinestone and Carelin Streets

**Existing Character:** Local, Type A; one lane each direction with sidewalks both sides

**Proposed Changes:** None known

**Public Transit:** There are no nearby VIA bus line to 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:** Off-street vehicle parking requirements for service uses are typically determined by building size.

Contractor Facility - Minimum Requirement: 1 space per 1500 square feet of Gross Floor Area (GFA);

Maximum Allowance: 1 space per 300 square feet of GFA.

**ISSUE:**

None

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning; restricting future land uses to those permissible in C-3 zoning district.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Staff and the Zoning Commission (9-0) 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 any Local or Community Plan. The requested “I-1” base zoning district is consistent with the surrounding zoning and development pattern.

**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

**3. Suitability as Presently Zoned:**

The existing “C-3” and “MF-33” base zoning district and the proposed “I-1” are both consistent with surrounding zoning and 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 measures 8.267 acres in size, which is sufficient to accommodate commercial development and required parking.

**7. Other Factors:**

None