



# City of San Antonio

## Agenda Memorandum

**File Number:**15-1955

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**Agenda Item Number:** 5.

**Agenda Date:** 3/17/2015

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 9

**SUBJECT:**

Zoning Case Z2015097

**SUMMARY:**

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

**Requested Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 17, 2015. Continued from the March 3, 2015 Zoning Commission hearing at the request of the applicant to amend the application.

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** Gabriel Realty Trust

**Applicant:** Russell D. Felan

**Representative:** Russell D. Felan

**Location:** 403 West Rhapsody Drive

**Legal Description:** Lot 4, Block 41, NCB 13497

**Total Acreage:** 0.41

**Notices Mailed**

**Owners of Property within 200 feet:** 19

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

**Planning Team:** North Sector Planning Team - 39 and San Antonio International Airport Vicinity Land Use

Plan

**Applicable Agencies:** City of San Antonio Aviation Department

### **Property Details**

**Property History:** The property was annexed in 1965 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 property was developed in 1978 with a commercial structure measuring 5,905 square feet in size.

**Topography:** The 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:** Northwest and Northeast

**Current Base Zoning:** “I-1” and “I-2”

**Current Land Uses:** Office/Warehouses, Repair and Contractor Services, Offices, Industrial and Manufacturing Uses

**Direction:** South and Southwest

**Current Base Zoning:** “I-1”

**Current Land Uses:** Office/Warehouses, Repair and Contractor Services, Offices, Industrial and Manufacturing Uses

**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 Rhapsody Drive

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Public Transit:** VIA bus route 648 operates along West Rhapsody

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

**Parking Information:** The existing building will be leased for commercial purposes, therefore, parking requirements cannot be determined at this time. The provision for and maintenance of off-street parking facilities shall be the responsibility of the operator and owner of the use, structure and/or land on which is located the use for which off-street parking facilities are required and must conform to Table 526-3b, Parking in Nonresidential Use Districts, located in the Unified Development Code.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the General Industrial zoning.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. The applicant has indicated that he wishes to amend the proposed rezoning to “C-3 R” Commercial Restrictive Alcohol Sales. Staff will recommend approval of “C-3 R” Commercial Restrictive Alcohol Sales provided the applicant amends the application at the hearing.

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

**1. Consistency:**

The adopted San Antonio International Airport Vicinity Land Use Plan identifies the subject property and the majority of surrounding properties as Business Park in the Future Land Use component of the plan. The requested “C-2” district would allow several uses that remain in character with the surrounding development while maintaining consistency with the San Antonio International Airport Vicinity Land Use Plan.

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

Staff finds no adverse impacts to neighboring lands.

**3. Suitability as Presently Zoned:**

The current I-1 zoning is suitable for the subject property.

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

**6. Size of Tract:**

The subject property is 0.41 of an acre, which is of sufficient size to accommodate uses permitted in “C-2”.

**7. Other Factors:**

This property is located within the San Antonio International Airport Awareness Zone; therefore, the zoning request was reviewed by the City's Aviation Department. No comments have been received.

While the rezoning of this single property could impose buffer requirements on new development of abutting properties, the surrounding properties are fully developed. Existing properties are not required to conform to the buffer regulations unless new construction occurs.