



# City of San Antonio

## Agenda Memorandum

**File Number:**15-4705

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**Agenda Item Number:** 12.

**Agenda Date:** 9/1/2015

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2015264

**SUMMARY:**

**Current Zoning:** "O-2 AHOD" High-Rise Office Airport Hazard Overlay District and "C-2" Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-3 S AHOD" General Commercial Airport Hazard Overlay District with Specific Use Authorization for Construction Contractor Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 1, 2015

**Case Manager:** Robert C. Acosta, Planner

**Property Owner:** San Antonio Water System

**Applicant:** Green Property Developments, LLC Attn: Robert Green

**Representative:** Charles Riley

**Location:** 9823 Marbach Road

**Legal Description:** 5.026 acres of land out of NCB 15910

**Total Acreage:** 5.026

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Heritage Neighborhood Association

**Planning Team:** West/Southwest Planning Team-36

**Applicable Agencies:** Heritage Neighborhood Association

### **Property Details**

**Property History:** The property was originally annexed in 1995 and zoned O-1 Office District and “B-2” Business District. Upon adoption of the 2001 Unified Development Code, the “O-1” Office District converted to “O-2” High Rise Office District and “B-2” Business District converted to “C-2” Commercial District. The subject property consists of several vacant buildings that were part of a former Bexar Met service center and storage facility.

**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:** North

**Current Base Zoning:** R-6

**Current Land Uses:** Single-Family Residential uses

**Direction:** East

**Current Base Zoning:** R-6, C-2

**Current Land Uses:** Single-Family Residential uses and Vacant land

**Direction:** South

**Current Base Zoning:** OCL (Leon Valley)

**Current Land Uses:** Single-Family Residential uses

**Direction:** West

**Current Base Zoning:** R-6, C-2

**Current Land Uses:** Single-Family Residential uses and a Church

**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:** Marbach Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known.

**Thoroughfare:** Hunt Lane

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known.

**Thoroughfare:** Ellison Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Thoroughfare:** Prescott Street

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There is a VIA bus stop on Marbach Road in front of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) will be required. The traffic generated by the proposed development does exceed the threshold requirements.

**Parking Information:** Off -street vehicle parking requirements are typically determined by type of use and building size. The application states the proposed uses are Construction Contractor Facility, insurance agency, bank and possibility a restaurant.

Construction Contractor Facility: Minimum Parking: 1 space per 1,500 square feet

Bank: Minimum Parking: 1 space per 200 square feet

Insurance Office: Minimum Parking: 1 space per 300 square feet

Restaurant: Minimum Parking: 1 space per 100 square feet

The proposed use and building size indicated a projected need of 90 to 250 spaces depending on final make-up of proposed uses. The site plan shows 287 parking spaces.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the "O-2 AHOD" High-Rise Office Airport Hazard Overlay District and "C-2" Commercial Airport Hazard Overlay District

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**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 West/Southwest Sector land use plan and is classified as Suburban Tier. The requested "C-3" zoning district is not consistent with the adopted land use designation. The applicant has applied for a plan amendment to change the adopted land use to Mixed Use Center and to allow "C-3" as a zoning district for the Mixed Use Center land use classification. Staff and Planning Commission recommended approval. The subject property's location along Marbach Road, a major arterial and its close proximity to the varied community scaled commercial zoning and uses in the surrounding area makes it appropriate for the requested zoning.

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

Staff has found no evidence of likely adverse impacts on neighboring properties. The requested zoning and uses are consistent and compatible with the already-existing surrounding area.

**3. Suitability as Presently Zoned:**

The existing split zoning is not appropriate for the subject property and has a negative effect on the development of the subject property. The commercially zoned portion of this property is well suited for commercial development, as it abuts intense commercial zoning and uses to the east and west. Large acreage

lots located along major arterials are appropriate locations for intense commercial uses that are permitted in the current “C-2” and the proposed “C-3” zoning.

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

Staff has found no evidence of likely adverse impacts on the health, safety, and welfare of the public.

**5. Public Policy:**

The requested rezoning does not appear to be in conflict with any public policy.

**6. Size of Tract:**

The subject property is 5.026 acres in size and is adequately sized to accommodate the proposed uses.

**7. Other Factors:**

None.