

Zoning Request at Mockingbird and IH-10 (Zoning Case # Z2010117)

There's a new special use permit (SUP) zoning change being requested at Mockingbird and IH-10. Allow me to narrate this story as a tale of three emails.

On June 8th, I received an email from Ruben G. Lizalde, Chief of Policy, Office of Councilman Reed Williams, District 8.

“I would like to update you over a future zoning request change case # Z2010117 located at 8203 W. IH 10 in the Highpoint Shopping Center where the TGIF once was located. Currently Propel Financial Services/Alamo tax loan is located in the Highpoint Shopping Center 8131 Suite 107 in which the business pays delinquent property taxes directly to the tax assessor or collector owed. In return for this payment to the county, the county tax assessors then transfer their ad valorem tax liens to Propel Financial Services. www.propelfinancialservices.com The zoning request change is from “C-3” General Commercial District to “C-3 S” General Commercial District with a Specific Use for a loan office in order to relocate from their current office into the old TGIF restaurant building within the shopping center. This zoning request is scheduled to be heard July 6, 2010 . . . May you pls. contact me at your convenience so that I may brief you over this case?”

I forwarded this information to the VJ board members and officers and replied to Mr. Lizalde on June 9.

“Thanx for your call and email.

I've sent info about this request to VJNI board members/officers and affected neighbors. I haven't received any strong reactions yet. I tend to think we will not be opposed to the requested change, but that could change.

One clarification - my recollection is that a SUP like this just applies to the specific company requesting it, which is Propel Finance in this case, and does not permanently attach to the property itself. Is this legally true? Do you have a reference for this, such as in the UDC?”

On June 14th, Mr. Lizalde had an answer.

“I have received an update concerning your inquiry below. The zoning request placed on the property is tied to the land, and not to the owners. The request for C-3 (S) will permanently be placed on the building. The Definition for (S) Specific Use the "S" indicates that the listed use is permitted within the respective zoning district only after

review and approval of a specific use authorization in accordance with the review procedures of section 35-423 of the UDC. It provides for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. These require a specific use authorization permitted by City Council.”

So as of the time we go to press for the newsletter, we haven't found a smoking gun to use as evidence for opposition, but our association experience over 10 years is that the community eventually loses on this kind of case. What do you think? Please write us at officers@vjni.org.

Ted Trakas

References:

1. <http://epay.sanantonio.gov/dsddocumentcentral/upload/Weekly%20Report.pdf>
2. City Case Manager: Brenda Valadez, 207-7945