



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4931

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/20/2018

**Title:** WITHDRAWN -- ZONING CASE # Z2018098 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District and "I-1 RIO-7D HS AHOD" General Industrial River Improvement Overlay Historic Significant Airport Hazard Overlay District to "IDZ RIO-7D AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, a Bar/Tavern and Multi-Family with no more than 150 units per acre and to remove the Historic designation on 7.527 acres out of NCB 985, located at 931 South Flores Street. Staff recommends Approval. Zoning Commission recommends Denial. (Continued from August 16, 2018)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Field Notes

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**  
Zoning Case Z2018098

**SUMMARY:**

**Current Zoning:** "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District and "I-1 RIO-7D HS AHOD" General Industrial River Improvement Overlay Historic Significant Airport Hazard Overlay District

**Requested Zoning:** "IDZ RIO-7D AHOD" Infill Development Zone River Improvement Overlay Historic Significant Airport Hazard Overlay District with uses permitted in "C-2" Commercial, a Bar/Tavern and Multi-Family with no more than 150 units per acre and to remove the Historic designation

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 17, 2018. This case is continued from the March 20, 2018 Zoning hearing.

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** John H. Dean

**Applicant:** John H. Dean

**Representative:** Patrick Christensen

**Location:** 931 South Flores Street

**Legal Description:** 7.527 acres out of NCB 985

**Total Acreage:** 7.527

**Notices Mailed**

**Owners of Property within 200 feet:** 128 notices

**Registered Neighborhood Associations within 200 feet:** King William Association

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City and was zoned “L” Light Industrial District and “K” Commercial District. The property was then converted to “I-1” Industrial District and “B-3NA” Business District Non-Alcoholic Sales, which was later converted to the current “C-3NA” upon adoption of the Unified Development Code on May 3, 2001 (Ordinance 93881).

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Residential Lofts

**Direction:** South

**Current Base Zoning:** “IDZ” and “C-3”

**Current Land Uses:** Park area and Residential Lofts

**Direction:** East

**Current Base Zoning:** “IDZ”, “RM-4” and “C-1”

**Current Land Uses:** Retail and Restaurant

**Direction:** West

**Current Base Zoning:** “I-1” and “C-3”

**Current Land Uses:** Hotels

**Overlay and Special District Information:**

The subject property is located within the “AHOD” Airport Hazard Overlay District. The “AHOD” does not restrict permitted uses, but may require additional review by both the Federal Aviation Administration and Development Services Department.

The surrounding properties are located in the King William Historic District, which was adopted in May, 1968.

Historic districts do not regulate use of the property, but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

All surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

### **Transportation**

**Thoroughfare:** South Flores Street

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known.

**Thoroughfare:** Camp Street

**Existing Character:** Local Street

**Proposed Changes:** None Known.

**Public Transit:** The nearest VIA bus route #43 , #44, #243 and #251 are within walking distance of the subject property. A B-Cycle Station is also available within walking distance.

**Traffic Impact:** A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

**Parking Information:** Infill Development Zone (IDZ) requests waive parking requirements.

### **ISSUE:**

The applicant is requesting the "IDZ" zoning to allow for no more than 150 units per acres and to remove the Historic designation.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses:

bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and

installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market,

home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. The "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

### **FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is within the Downtown Regional Center but is not within proximity to a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission recommends Denial (7-4).

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

**1. Consistency:**

The subject property is within the Lone Star Community Plan and is designated as “High Density Mixed Use”. The request for rezoning to “IDZ” to allow for 150 dwelling units and “C-2” Commercial District uses is consistent with the future land use designation.

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

Staff finds no adverse impact on neighboring lands, as the request will be downzoning from the current “C-3” General Commercial and “I” General Industrial zoning.

**3. Suitability as Presently Zoned:**

The subject property is currently split-zoned “C-3” General Commercial and “I-1” General Industrial, which are inappropriately suited for the area, as the surrounding properties are mixed with residential dwellings and commercial 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 rezoning request does not appear to conflict with land use goals and strategies of the Lone Star Community plan to phase out industrial uses and to add a mix of uses into new development and redevelopment projects. The subject property is identified in the plan as underutilized.

The requested zoning is supported by the following plan goals:

Goal Land Use-2.1: High density mixed use buildings are located on large redeveloped sites and at major transportation nodes.

Strategy Land Use-3.1: Utilize “special zoning districts” to reduce minimum off-street parking space requirements to facilitate the reuse of existing sites.

**6. Size of Tract:**

The subject property totals 7.527 acres in size, which should reasonably accommodate the proposed development.

**7. Other Factors:**

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings of structures,

within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

The applicant's request meets the Master Plan's Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector and is currently a vacant and underutilized parcel.

This property is currently zoned as part of the "RIO-7D." Removal of the landmark designation would not remove the requirement for review of new construction, modifications, or demolition. The Historic & Design Review Commission (HDRC) on February 21, 2018, concurred that the application of the historic zoning overlay to 931 S Flores was in error and that the property is not eligible for landmark designation. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all exterior work for any property with the River Improvement Overlay (RIO). Exterior work requires a Certificate of Appropriateness before work begins. Approval of a zoning change does not imply approval of or take the place of design review as directed by the UDC. To date, no application for a Certificate of Appropriateness at this address for new construction to suit the proposed use has been submitted for review to the Office of Historic Preservation.