



# City of San Antonio

## Legislation Details (With Text)

**File #:** 13-1309

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/16/2014

**Title:** ZONING CASE # Z2014034 (District 2): An Ordinance amending the Zoning District Boundary from "C-2 NCD-6 AHOD" Commercial Mahncke Park Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-6 AHOD" Infill Development Zone Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with Single-Family Residential Uses not to exceed 24 units per acre on the east 135 feet of Lot 14, Block 14 and the east 150 feet of Lot 15, Block 15, NCB 1067 located at 150 Humphrey and a portion of the 100 Block of Brackenridge Avenue. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-034, 2. Z2014034, 3. Z2014034\_Site Plan, 4. Draft Ordinance, 5. Ordinance 2014-01-16-0029

Date	Ver.	Action By	Action	Result
1/16/2014	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**SUBJECT:**  
Zoning Case Z2014034

**SUMMARY:**

**Current Zoning:** "C-2 NCD-6 AHOD" Commercial Mahncke Park Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "IDZ NCD-6 AHOD" Infill Development Zone Mahncke Park Neighborhood Conservation Airport Hazard Overlay District with Single-Family Residential Uses not to exceed 24 units per acre

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 3, 2013

**Case Manager:** Osniel Leon, Planner

**Property Owner:** Everest Lodging LLC (By Kit Shura, Manager)

**Applicant:** David Weekly Homes (By Gary Runner, Division President)

**Representative:** Brown & Ortiz, P.C. (Daniel Ortiz)

**Location:** 150 Humphrey and a portion of the 100 Block of Brackenridge Avenue

**Legal Description:** The east 135 feet of Lot 14, Block 14 and the east 150 feet of Lot 15, Block 15, NCB 1067

**Total Acreage:** 1.099

**Notices Mailed**

**Owners of Property within 200 feet:** 10

**Neighborhood Associations:** Mahncke Park Neighborhood Association (within 200 feet)

**Planning Team Members:** Mahncke Park Neighborhood Plan (21)

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the City Limits as they were recognized in 1938 and was originally zoned "F" Local Retail District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2" Commercial District. The property is currently developed as a hotel that was built in 1939 and expanded in 1960. The property is not platted in its current configuration.

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

**Adjacent Zoning and Land Uses**

**Direction:** East, North and West

**Current Base Zoning:** "C-2", "C-3NA", "MF-33" and "C-2"

**Current Land Uses:** Apartments, Museum (under construction)

**Direction:** South

**Current Base Zoning:** "MR"

**Current Land Uses:** Fort Sam Houston

**Overlay and Special District Information:** The Mahncke Park Neighborhood Conservation District (NCD-6) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. Reviewed by Development Services zoning section.

Some 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. Reviewed by the Office of Historic Preservation.

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:** Brackenridge Avenue, North Pine Street and Humphrey

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

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines are the number 9, 10, 14, 209 and 214 lines which operate along Broadway.

**Traffic Impact:** A Traffic Impact Analysis is not required. IDZ zoning is exempt from TIA requirements.

**Parking Information:** Off-street vehicle parking requirements for residential uses are determined by the number of dwelling units.

Dwelling - 1 Family - Minimum Parking Requirement: 1 space per unit; Maximum Parking Requirement: N/A.

The “IDZ” Infill Development Zone District eliminates off-street parking requirements.

**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 a C-2 zoning district.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend approval.

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

**1. Consistency:**

The subject property is located within the Mahncke Park Neighborhood Plan and is designated as Mixed Used in the future land use component of the plan. The Mixed Use land use designation provides for a concentrated blend of residential, retail, service, office, entertainment, leisure, and other related uses at increased densities to create a pedestrian oriented environment. The requested “IDZ” base district and the proposed residential density are consistent with the adopted land use designation.

**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. The “IDZ” zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. Further, the “IDZ” district includes design criteria intended to create infill development that is proportional to surrounding development.

**3. Suitability as Presently Zoned:**

The existing “C-2” zoning is not consistent with the adopted land use designation and may not be entirely appropriate for the subject property or the surrounding neighborhood. The “C-2” district allows a wide range of retail, office, and service uses that typically generate increased levels of traffic, noise, and lighting. Medium intensity commercial zoning is most appropriate along arterials or major thoroughfares.

The proposed residential development is appropriate for the area. Staff believes the proposed use will be compatible with the surrounding land uses and overall character of the area.

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

Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning request. The “IDZ” district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

**5. Public Policy:**

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

**6. Size of Tract:**

The subject property is 1.099 acres and appears to be of sufficient size to accommodate the proposed development with the flexibility offered by the “IDZ” district.

**7. Other Factors:**

The subject property is located within the “NCD-6” Mahncke Park Neighborhood Conservation District. Compliance with the “NCD-6” design regulations is required for new construction, and will be reviewed for at the plan review/building permit phase.