



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-5712

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/1/2016

**Title:** ZONING CASE # Z2016276 (Council District 1): An Ordinance amending the Zoning District Boundary from "C-3NA NCD-1 AHOD" General Commercial Nonalcoholic Sales South Presa/South St. Mary's Neighborhood Conservation Overlay Airport Hazard Overlay District to "IDZ NCD-1 AHOD" Infill Development Zone South Presa/South St. Mary's Neighborhood Conservation Overlay Airport Hazard Overlay District with uses permitted in "MF-25" Low-Density Multi-Family District on Lot 2, West 30 Feet of 3, East 70 Feet of 3, NCB 2979, located at 1619 and 1621 South Presa Street and 107 Jacobs Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Site Plan, 2. Z2016-276 Location Map, 3. Z2016276 Minutes, 4. Draft Ordinance.pdf, 5. Ordinance 2016-12-01-0925

Date	Ver.	Action By	Action	Result
12/1/2016	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2016276

**SUMMARY:**

**Current Zoning:** "C-3NA NCD-1 AHOD" General Commercial Nonalcoholic Sales South Presa/South St. Mary's Neighborhood Conservation Overlay Airport Hazard Overlay District

**Requested Zoning:** "IDZ NCD-1 AHOD" Infill Development Zone South Presa/South St. Mary's Neighborhood Conservation Overlay Airport Hazard Overlay District with uses permitted in "MF-25" Low-Density Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 01, 2016

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Darryl and Marry Ann Ohlenbusch

**Applicant:** Darryl Ohlenbusch

**Representative:** Darryl Ohlenbusch

**Location:** 1619 and 1621 South Presa Street and 107 Jacobs Street

**Legal Description:** Lot 2, West 30 Feet of 3, East 70 Feet of 3, NCB 2979

**Total Acreage:** 0.2249

**Notices Mailed**

**Owners of Property within 200 feet:** 32

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the city limits as established in 1938 and was zoned "J" Commercial District. In 1991 the subject property was rezoned to "B-3NA" Business Nonalcoholic Sales District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "C-3 NA" General Commercial Nonalcoholic Sales District.

**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:** RM-4, C-3, IDZ, C-2

**Current Land Uses:** Residential Single-Family, Vacant, Church

**Direction:** East

**Current Base Zoning:** IDZ, C-3

**Current Land Uses:** Residential Single-Family, Shop Building

**Direction:** South

**Current Base Zoning:** C-3, RM-4

**Current Land Uses:** Retail Center, Residential Single-Family

**Direction:** West

**Current Base Zoning:** RM-4

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

**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:** South Presa

**Existing Character:** Secondary Arterial, Type B

**Proposed Changes:** None known

**Thoroughfare:** Lotus Street, Jacobs Street, Leopold Street

**Existing Character:** Local, Type A

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line to the subject property is VIA transit route 36 and 242 which along South Presa Street.

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

**Parking Information:** "IDZ" Infill Development Zone waives minimum parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend 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 Lavaca Neighborhood Plan and is currently designated as Mixed Use in the future land use component of the plan. The proposed base zoning district is consistent with the future 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 requested zoning provides a residential density that is consistent with the surrounding land use.

**3. Suitability as Presently Zoned:**

The existing "C-3" base zoning district is not suitable as presently zoned. The existing zoning is not compatible with the surrounding zoning and land uses. The existing zoning is too intense for the existing land use pattern.

**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 request does not appear to conflict with any public policy objective because it is consistent with the future land use plan.

**6. Size of Tract:**

The subject property measures 0.224 acre and is sufficient for 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 or 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.