



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5530

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/19/2017

**Title:** ZONING CASE # Z2017248 (Council District 1): An Ordinance amending the Zoning District Boundary from "I-1 RIO-1 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District to "C-1 RIO-1 AHOD" Light Commercial River Improvement Overlay Airport Hazard Overlay District on Lot 55, NCB 2806, located at 3440 North St. Mary's Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2017-10-19-0824

Date	Ver.	Action By	Action	Result
10/19/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017248

**SUMMARY:**

**Current Zoning:** "I-1 RIO-1 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District

**Requested Zoning:** "C-1 RIO-1 AHOD" Light Commercial River Improvement Overlay Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 19, 2017

**Case Manager:** Kayla Leal, Planner

**Property Owner:** PVSC, Inc.

**Applicant:** Mario Flores

**Representative:** Mitsuko E. Ramos

**Location:** 3440 North St. Mary's Street

**Legal Description:** Lot 55, NCB 2806

**Total Acreage:** 0.8652

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** River Road Neighborhood Association

**Applicable Agencies:** Parks Department and Office of Historic Preservation

**Property Details**

**Property History:** The subject property was originally zoned "J" Commercial District based on the 1938 zoning districts. Upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001), the zoning district converted into the current to "I-1" General Industrial 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:** C-3, C-1 IDZ

**Current Land Uses:** Morgan Stanley Building, Pugels Bar & Eats

**Direction:** East

**Current Base Zoning:** MF-50

**Current Land Uses:** Developing Apartment Complex

**Direction:** South

**Current Base Zoning:** C-2, MF-33

**Current Land Uses:** Single-Family Residences, Vacant Lots

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Wells Fargo Corporate Building

**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. 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:** North St. Mary's Street

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** Mulberry Avenue  
**Existing Character:** Minor Street  
**Proposed Changes:** None known

**Public Transit:** The nearest bus stop (Stop #24126) is directly in front of the property along Bus Route 11 on North St. Mary's Street.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The "C-1" base zoning district has parking requirements and the amount of parking is dependent upon the land use.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. 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 not located within a Regional Center.

The subject property is located within a half (1/2)-mile from the Austin Highway Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (7-0) 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 River Road Community Plan and is currently designated as "Neighborhood Commercial" in the future land use component of the plan. The requested "C-1" base zoning district is consistent with the adopted land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. There are existing commercial uses on the subject property, so the request is bringing an appropriate zoning to the current use.

**3. Suitability as Presently Zoned:**

The existing "I-1" base zoning district is not appropriate for the surrounding area. The area is mostly office,

commercial, and residential uses. Industrial zoning is too intense for the area, so the requested “C-1” zoning is much more appropriate and suitable for the area.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The request is to “down-zone” the property from Industrial to Light Commercial, which is much more appropriate for the health, safety, and welfare for the surrounding community.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective since it is consistent with the adopted land use plan.

**6. Size of Tract:**

The subject property is 0.8652 acres and is of sufficient size to accommodate the development. There is an existing strip center with commercial uses.

**7. Other Factors:**

None.