



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5236

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/18/2018

**Title:** ZONING CASE # Z2018190 (Council District 5): Ordinance amending the Zoning District Boundary from "I-1 RIO-4 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District to "IDZ RIO-4 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with Multi-Family uses not to exceed 80 units per acre on Lot 18 and Lot 20, NCB A-14, located at 400 Probandt Street. Staff and Zoning Commission recommend Approval. (Continued from September 6, 2018)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2018-10-18-0850

Date	Ver.	Action By	Action	Result
10/18/2018	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018190

**SUMMARY:**

**Current Zoning:** "I-1 RIO-4 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District

**Requested Zoning:** "IDZ RIO-4 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with Multi-Family uses not to exceed eighty (80) units per acre

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 5, 2018. This case is continued from the May 15, 2018 Zoning hearing.

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** JONA Real Estate, LLC

**Applicant:** Oden Hughes, LLC

**Representative:** Kaufman & Killen, Inc.

**Location:** 400 Probandt Street

**Legal Description:** Lot 18 and Lot 20, NCB A-14

**Total Acreage:** 4.266

**Notices Mailed**

**Owners of Property within 200 feet:** 18

**Registered Neighborhood Associations within 200 feet:** Lone Star Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, Office of World Heritage, Planning Department, Texas Department of Transportation

**Property Details**

**Property History:** The subject property is a part of the original 36-square miles of the City of San Antonio and was zoned "L" First Manufacturing District. The property was rezoned from "L" to "I-1" Light Industrial District by Ordinance 74924, dated December 9, 1991. The property converted from "I-1" Light Industrial District to the current "I-1" General Industrial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "I-1"

**Current Land Uses:** Warehouse

**Direction:** East

**Current Base Zoning:** "I-1", "IDZ"

**Current Land Uses:** Railroad, Mixed Use Apartment Complex

**Direction:** South

**Current Base Zoning:** "I-1"

**Current Land Uses:** Railroad, Cintas Uniform Service

**Direction:** West

**Current Base Zoning:** "I-2", "C-1 IDZ", "O-1", "C-1"

**Current Land Uses:** Habitat Home Center, Retail Shop, Office

**Overlay and Special District Information:**

"AHOD"

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.

"RIO"

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:** Probandt Street

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Steves Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 46 and 246 are within walking distance of the subject property.

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

**Parking Information:**

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

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “I-1” General Industrial District. The “I-1” base zoning permits 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. Schools are not permitted within industrial base zoning districts.

**FISCAL IMPACT:**

None.

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

The property is located within the Downtown Regional Center and within ½ of a mile of the Rockport Subdivision 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 within the Lone Star Community Plan and is designated as “High Density Mixed Use”. The request for rezoning to “IDZ” with Multi-Family uses not to exceed 80 units per acre is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed rezoning will remove industrial zoning near single-family residences.

## **3. Suitability as Presently Zoned:**

The current “I-1” General Industrial District is not an appropriate zoning for the property and surrounding area. The area is undergoing a transition from industrial uses to multi-family/mixed use developments. The requested rezoning is in agreement with the current future land use designation of “High Density Mixed Use”.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The proposed rezoning is requested in order to redevelop the property into a multi-family use.

## **5. Public Policy:**

The property is located within the Lone Star Community Plan. The subject property is currently operated as industrial/manufacturing and is proposed to be rezoned to allow a high-density residential development. The proposed rezoning does not appear to conflict with the goals and guiding principles of the plan. The plan encourages adaptive re-use of the City’s industrial heritage for arts, entertainment, and creative living space. The future land use designation of “High Density Mixed Use” encourages higher intensity residential uses along the corridor of Probandt. The plan and the Downtown Regional Center also express a desire for smart growth concepts, to include higher residential density in close proximity to public transportation. The proposed rezoning is within close proximity of the Rockport Subdivision Premium Transit Corridor and also within walking distance of public transportation.

Relevant goals and policies of the SA Tomorrow Comprehensive Plan include:

- GCF Goal 1: Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.
- GCF Goal 2: Priority growth areas attract jobs and residents.
- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF Goal 6: Growth and city form support community health and wellness.
- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in closer proximity to housing and where appropriate.
- GCF P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.
- GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
- GCF P31: Promote development that leverages and protects the public’s investment in major green infrastructure and natural resources projects (e.g., the San Antonio River Improvements Project and

other creek and trail restoration projects).

- H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
- H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
- H Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.
- H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
- H P28: Explore commercial and industrial areas in the core of the city for conversion to residential or mixed-use.
- H P30: Ensure infill development is compatible with existing neighborhoods.
- NRES P4: Implement policies that encourage infill development and higher-density development outside environmentally sensitive areas.

Generally, the proposal is consistent with the SA Tomorrow Comprehensive plan which seeks to encourage high-density infill development within regional centers such as Downtown. Additionally, the proposal is generally consistent with the recommendations of the Lone Star Community Plan, which classifies the site as High Density Mixed Use in the future land use plan. The Lone Star Plan also features a Physical Master Plan component which classifies mixed use properties into character areas based on context and location. The subject property is classified as a "River District" area, described as follows:

*The River District includes lower intensity development along the corridors and higher intensity mixed-use development in clustered nodes overlooking the San Antonio River or at major intersections. Mixed-use developments should incorporate a strong street edge, active ground floor, and streetscape amenities. The boundaries and the design guidelines for the River District are the same as the boundaries and standards for the RIO-4 Zoning Overlay District. The RIO-4 Zoning Overlay District Design Standards are located in Article VI, Division 6 of the Unified Development Code.*

As the design of the proposed development progresses care should be given to ensure appropriate streetscape amenities and active ground floor. Likewise, the project must comply with adopted RIO-4 design standards along the San Antonio River.

## **6. Size of Tract:**

The subject property is 4.266 acres, which could accommodate a multi-family development.

## **7. Other Factors:**

The property located at 400 Probandt is located within the River Improvement Overlay, District-4. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews

all exterior work for any property within a River Improvement Overlay District. Exterior work or new construction 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.

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.

The requested “IDZ” base zoning is supported by the following criteria:

- The applicant’s request meets the Master Plan’s Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- 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.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 1d, because it develops criteria and procedures for infill development which will enhance the character of neighborhoods.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 1e, because it allows zero setbacks for commercial and multi-family developments.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.