



City of San Antonio

Legislation Details (With Text)

File #: 19-1311

Type: Zoning Case

In control: City Council A Session

On agenda: 1/17/2019

Title: ZONING CASE # Z-2018-900035 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and "C-2P AHOD" Commercial Pedestrian Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-40" Multi-Family District on 0.332 acres out of NCB 1002, located at 916 and 922 East Elmira Street. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Warranty Deed, 6. Ordinance 2019-01-17-0050

Date	Ver.	Action By	Action	Result
1/17/2019	1	City Council A Session		

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:

Zoning Case Z-2018-900035

SUMMARY:

Current Zoning: "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and "C-2P AHOD" Commercial Pedestrian Airport Hazard Overlay District

Requested Zoning: "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-40" Multi-Family District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 18, 2018. This case is continued from the December 4, 2018 hearing.

Case Manager: Daniel Hazlett, Planner

Property Owner: Elmira Place Joint Venture

Applicant: Elmira Place Joint Venture

Representative: Kaufman & Killen

Location: 916 and 922 East Elmira Street

Legal Description: 0.332 acres out of NCB 1002

Total Acreage: 0.332

Notices Mailed

Owners of Property within 200 feet: 14

Registered Neighborhood Associations within 200 feet: Tobin Hill Community Association

Applicable Agencies: Texas Department of Transportation, Fort Sam Houston

Property Details

Property History: The properties were a part of the original 36-square miles of the City of San Antonio and were zoned “”.

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: “RM-4”, “MF-33”, “C-3NA”, “R-6”

Current Land Uses: Vacant Lot, Apartments,

Direction: East

Current Base Zoning: “R-6”, “O-1”

Current Land Uses: Vacant Lot, Single-Family Residence

Direction: South

Current Base Zoning: “R-6”

Current Land Uses: Single-Family Residence

Direction: West

Current Base Zoning: “IDZ”

Current Land Uses: Shopping Mall, Vacant Lot

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.

Transportation

Thoroughfare: East Elmira Street

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Mc Lane Street
Existing Character: Local Street
Proposed Changes: None Known

Public Transit: VIA bus route 8 and 11 are within walking distance of the properties.

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 “C-3R” General Commercial Restrictive Alcohol Sales District and “C-2P” Commercial Pedestrian District.

The “C-3R” 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 sale of alcoholic beverages for on-premises consumption is prohibited.

The “C-2” districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining. There is a 35 foot maximum front setback, rear parking requirements, and additional window requirements.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The properties are located within the Midtown Regional Center and are located within ½ of a mile of the New Braunfels Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (10-0) 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 Tobin Hill Community Plan and is designated as “Low Density Mixed Use”. The request for rezoning to “IDZ” 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.

3. Suitability as Presently Zoned:

The current “C-3R” and “C-2P” are appropriate base zoning for the property and surrounding area. The requested “IDZ” with “C-2” and “MF-40” uses are also appropriate.

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 develop the property into a mixed use which is established in this area.

5. Public Policy:

The proposed rezoning does not appear to conflict with the goals and guiding principles of the Tobin Hill Neighborhood Plan. The plan promotes a variety of housing options and densities. The properties are located adjacent to the future expansion of The Pearl development to the east. The requested “IDZ” is consistent with the current and future development pattern of the area.

Relevant Goals and Objectives of the Tobin Hill Neighborhood Plan:

Objective 2.4: Housing Diversity - Promote a diverse variety of housing stock in the neighborhood that sustains all ages and economic groups.

Objective 2.4.1: While preserving the neighborhood’s historic housing inventory, encourage the utilization of available land to develop single family homes in the residential core of the neighborhood and, where appropriate, higher density housing (townhomes, condos, and apartments) in areas designated as Low Density and High Density Mixed Use.

Goal 4: Support for Existing and Future Businesses: Support existing businesses in the neighborhood and create and provide opportunities for future businesses.

Goal 5: Development Type and Design: Promote development that is compatible with existing development and encourage design that takes into account the existing character and scale of the neighborhood.

Objective 5.1: Use Compatibility: Promote compatibility between the commercial and residential areas of the neighborhood.

6. Size of Tract:

The subject property is 0.332 of an acre, which could accommodate a small-scale mixed use development.

7. Other Factors:

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

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, lot 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.