



City of San Antonio

Agenda Memorandum

File Number: 13-1130

Agenda Item Number: 5.

Agenda Date: 12/5/2013

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Council District 1

SUBJECT:

Zoning Case Z2014033 S

SUMMARY:

Current Zoning: "D RIO-4 AHOD" Downtown River Improvement Overlay-4 Airport Hazard Overlay District

Requested Zoning: "D S RIO-4 AHOD" Downtown River Improvement Overlay-4 Airport Hazard Overlay District with a Specific Use Authorization for a Gasoline Filling Station (Without Repair or Carwash)

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 3, 2013

Case Manager: Brenda V. Martinez, Planner

Property Owner: HEB Grocery Company, LP (By Todd Piland, Executive Vice President)

Applicant: HEB Grocery Company, LP (Todd Piland, Executive Vice President)

Representative: Golden Steves Cohen & Gordon, LP (Trey Jacobson)

Location: A portion of the 100 Block of Cesar Chavez Boulevard and a portion of the 500 Block of South Flores Street

Legal Description: 0.633 of an acre out of Lot 3, Block 3, NCB 929

Total Acreage: 0.633

Notices Mailed

Owners of Property within 200 feet: 11

Registered Neighborhood Associations within 200 feet: King William Association; Downtown Residents Association is located within 200 feet

Planning Team: 18 (Downtown Neighborhood Plan)

Applicable Agencies: City of San Antonio Parks and Recreation Department and the Office of Historic Preservation

Property Details

Property History: The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned under the 1938 zoning code. In a 1991 City-initiated large-area case, the subject property was rezoned to “B-4” Central Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “D” Downtown District. The subject property consists of a portion of a platted lot.

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: North, East, South and West

Current Base Zoning: “D”

Current Land Uses: Vacant Commercial Structure and Parking, Auto Repair, Offices, Vacant Land, Parking Lot, The Commanders House Park, and a Hotel

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: East Cesar Chavez Boulevard

Existing Character: Primary Arterial Type B Street; 2 lanes in each direction with a center median

Proposed Changes: None known

Thoroughfare: South Flores Street

Existing Character: Secondary Arterial Type B Street; 2 lanes in each direction

Proposed Changes: None known

Thoroughfare: South Main Avenue

Existing Character: Secondary Arterial Type B Street; 1 lane in each direction

Proposed Changes: None known

Public Transit: The nearest VIA bus lines are the 20, 43, 44, 51, 54, 62, 67, 79, 243, 251, 275 and 277 lines, which operate along South Flores Street and Cesar Chavez Boulevard.

Traffic Impact: Per Unified Development Code: 35-502 (b)(1)B Traffic Generation Reports, neither a traffic impact analysis nor a peak hour trip generation form is required as a result of a change in zoning district boundaries for developments located in the “D” Downtown zoning district. Section 35-502 (h) (a) allows for

exemptions to the requirements for a Traffic Impact Analysis including applications for development approval within the “D” Downtown District. In determining this exemption, the city finds and determines that certain factors, such as interconnected street systems, mixed uses, and the availability of pedestrian facilities, can result in fewer trips than isolated, low-density subdivisions. Certain development patterns produce fewer trips and shorter trips than developments subject to conventional zoning or located on the fringe of the metropolitan area. The city finds that traffic patterns and infrastructure within its urban core are established, and that there is a strong public policy to encourage reinvestment in the city's downtown areas, to encourage infill development and that there is little opportunity to expand transportation capacity in many infill areas without destroying the city's historic built environment.

Parking Information: Off-street vehicle parking requirements are typically determined by the type of use and building size.

Service - Gasoline Filling Station - w/o repair service or car wash - Minimum Parking Requirement: 1 space per 500 square feet of Gross Floor Area (GFA); Maximum Parking Requirement: 1 space per 375 square feet of GFA.

The “D” Downtown District eliminates off-street vehicle parking requirements.

ISSUE:

None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the existing “D” Downtown base zoning district, and development of the proposed Fueling Station would be prohibited.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff recommends approval. Zoning Commission recommendation pending the December 3, 2013 public hearing.

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 Downtown Neighborhood Plan and is identified as Mixed Use in the Future Land Use component of the Plan. The requested “D” zoning district is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff finds the requested Specific Use Authorization to be appropriate as the subject property will maintain the current “D” district that is consistent with the Downtown Neighborhood Plan. The proposed zoning request is not likely to adversely impact neighboring properties. The subject property is surrounded by other properties of similar size, use and/or zoning.

3. Suitability as Presently Zoned:

The existing “D” zoning district is suitable for the subject property. The Downtown District provides concentrated retail, service, office and mixed uses in the existing central business districts. Major/regional

shopping centers are permitted, but urban design standards are required in order to maintain a neighborhood commercial scale, to promote pedestrian activity, and maintain the unique character of the center.

4. Health, Safety and Welfare:

Staff finds no evidence of likely negative impacts on public health, safety or welfare related to the proposed use.

5. Public Policy:

The request does not appear to conflict with any public policy objective. The request is consistent with the Downtown Neighborhood Plan.

6. Size of Tract:

The subject property is 0.633 acres and appears to be of sufficient size to accommodate the proposed use.

7. Other Factors:

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations.