



City of San Antonio

Legislation Details (With Text)

File #: 14-1248
Type: Zoning Case
In control: City Council A Session
On agenda: 6/19/2014
Title: ZONING CASE # Z2014164 (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 Streets Neighborhood Conservation Airport Hazard Overlay District and "C-2 NCD-1 AHOD" Commercial South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-1 AHOD" Infill Development Zone South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on 1.065 acres out of Block 4, NCB 782 located at 812 South Alamo Street, 611 South Presa Street, and 910 South St. Mary's Street. Staff and Zoning Commission recommend approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Z2014-164, 2. Z2014164, 3. Z2014164_Site Plan, 4. 14-1248 Z2014164 DRAFT ORDINANCE, 5. Ordinance 2014-06-19-0481

Date	Ver.	Action By	Action	Result
6/19/2014	1	City Council A Session	Motion to Approve	

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Council District 1

SUBJECT:
Zoning Case Z2014164

SUMMARY:

Current Zoning: ""C-3NA NCD-1 AHOD" General Commercial Nonalcoholic Sales South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District and "C-2 NCD-1 AHOD" Commercial South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District.

Requested Zoning: "IDZ NCD-1 AHOD" Infill Development Zone South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District.

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: June 3, 2014

Case Manager: Pedro Vega, Planner

Property Owner: Gray Street, LLC (by Kevin Covey, Manager)

Applicant: Kevin Covey

Representative: Brown & Ortiz, P.C. (Daniel Ortiz)

Location: 812 South Alamo Street, 611 South Presa Street, and 910 South St. Mary's Street

Legal Description: 1.065 acres out of Block 4, NCB 782

Total Acreage: 1.065

Notices Mailed

Owners of Property within 200 feet: 36

Neighborhood Associations: Lavaca Neighborhood Association; the King William Association is located within 200 feet.

Planning Team Members: Lavaca Neighborhood Plan - 12

Applicable Agencies: None

Property Details

Property History: The subject property is located within the city limits as recognized in 1938 and was originally zoned "J" Commercial District. In a 1991 City-initiated large-area case, the property was rezoned to "B-3NA" Business Non-Alcoholic Sales District and "B-2" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3NA" General Commercial Nonalcoholic Sales District and "C-2" Commercial District. The property is developed with a commercial structure measuring approximately 5,976 square feet that was built in 1952. The property is platted in its current configuration.

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: Northwest, Southeast

Current Base Zoning: "C-3" and "C-2"

Current Land Uses: Restaurants, Offices and Dry Cleaners

Direction: Southwest across South St. Mary's Street

Current Base Zoning: "C-2" and "RM-4"

Current Land Uses: Restaurant, Offices, Bakery and Elementary School

Direction: Northeast across South Presa Street

Current Base Zoning: "C-2" and "RM-4"

Current Land Uses: Restaurant, Offices, Parking Lot, Beauty Salon and Single-Family Dwellings

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.

The South Presa/South St. Mary's Streets Neighborhood Conservation District (NCD-1) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development.

Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc.

Transportation

Thoroughfare: South St. Mary's Street

Existing Character: Secondary Arterial; 2 lanes in each direction with sidewalks

Proposed Changes: None known

Thoroughfare: South Presa Street

Existing Character: Secondary Arterial; 1 lane in each direction with sidewalks

Proposed Changes: None known

Public Transit: The VIA bus line numbers 42 and 34 operate along South St. Mary's Street, VIA bus line number 36 operates South Presa Street along with multiple stops near the subject property

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

Parking Information: Off-street vehicle parking requirements are typically determined by type and size of the use. The rezoning application refers to a proposed drugstore use.

Drugstore-apothecary -Minimum Parking Requirement: 1 space per 300 square feet of Gross Floor Area (GFA).
Maximum Parking Requirement: 1 space per 200 square feet of Gross Floor Area GFA.

"IDZ" waives all off-street vehicle parking requirements.

ISSUE:

None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the current commercial zoning, restricting future land uses to those permissible in the "C-3NA" and "C-2" zoning districts.

FISCAL IMPACT:

None. The applicant has paid the required zoning fees.

RECOMMENDATION:

Staff and Zoning Commission (8-0) 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 Lavaca Neighborhood Plan and is currently designated as Mixed Use in the future land use component of the plan. The requested "IDZ" base zoning district is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff finds no likely adverse impact on the surrounding neighborhood related to the zoning change request. The site is located in an area with a mix of commercial, offices and single-family dwellings.

3. Suitability as Presently Zoned:

Both the current “C-3NA” and proposed “C-2” are both appropriate for the 1.065 acre site. The existing “C-3NA” is consistent with surrounding zoning and development. The requested “IDZ” base zoning district change is meant to allow a Mixed Use Development as well as to waive the off-street parking requirements for the 1.065 acre site.

4. Health, Safety and Welfare:

Staff has found no indication of a likely negative influence on public health, safety or welfare in relation to this zoning change request. Although the “IDZ” designation waives off-street parking requirements, the property is located in an area well-served by public transit. Pedestrian-friendly, walk-able development is encouraged in the Lavaca area.

5. Public Policy:

The request does not appear to conflict with any public policy objective. The requested “C-2” Commercial District is consistent with the Lavaca Neighborhood Plan.

6. Size of Tract:

The subject property is 1.065 acres in size and appears to be of sufficient size to accommodate the proposed use with the flexibility offered by the “IDZ” district.

7. Other Factors:

The applicant requests the zoning change in order to allow a pharmacy, retail and residential uses. The pharmacy will be located within 300 feet of an elementary school located at 925 South St. Mary's Street, is seeking a alcohol variance from Section 4-6 Distances from Church, School or Hospital of the City Code.