



City of San Antonio

Legislation Details (With Text)

File #: 17-1647

Type: Zoning Case

In control: City Council A Session

On agenda: 3/2/2017

Title: ZONING CASE # Z2017040 (Council District 1): An Ordinance amending the Zoning District Boundary from "C-3R H AHOD" General Commercial Restrictive Alcoholic Sales Lavaca Historic Airport Hazard Overlay District and "C-3R H HS AHOD" General Commercial Restrictive Alcoholic Sales Lavaca Historic Significant Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Bar on the North 35 feet of Lot 26 and the South 25 feet of Lot 27, Block 4, NCB 902 and to "IDZ H HS AHOD" Infill Development Zone Lavaca Historic Significant Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on Lot 43, NCB 903, and to "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on the W 125 feet of the North 34.5 feet of Lot 44, NCB 903; located at 712 South St. Mary's Street, 516 South Presa Street, and 520 South Presa Street. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Z2017040 Location Map, 2. Z2017040 Site Plan_Revised, 3. Zoning Commission Minutes, 4. Draft Ordinance, 5. ORD 2017-03-02-0135

Date	Ver.	Action By	Action	Result
3/2/2017	1	City Council A Session	Motion to Approve	

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:

Zoning Case Z2017040

SUMMARY:

Current Zoning: "C-3R H AHOD" General Commercial Restrictive Alcoholic Sales Lavaca Historic Airport Hazard Overlay District and "C-3R H HSAHOD" General Commercial Restrictive Alcoholic Sales Lavaca Historic Significant Airport Hazard Overlay District

Requested Zoning: "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Bar on North 35 feet of Lot 26 & the South 25 feet of Lot 27, Block 4, NCB 902

and to

"IDZ H HS AHOD" Infill Development Zone Lavaca Historic Significant Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on Lot 43, NCB 903,

and to

"IDZ H AHOD" Infill Development Zone Lavaca Historic Significant Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on the W 125 feet of the North 34.5 feet of 44

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 7, 2017

Case Manager: Erica Greene, Planner

Property Owner: Lifshutz Companies, LP

Applicant: Lifshutz Companies, LP

Representative: Taylor Allen (Big Red Dog Engineering)

Location: 712 South St. Mary's Street, 516 South Presa Street, and 520 South Presa Street

Legal Description: North 35 feet of Lot 26 & the South 25 feet of Lot 27, Block 4, NCB 902 and W 125 feet of the North 34.5 feet of 44, NCB 903

Total Acreage: 0.2277

Notices Mailed

Owners of Property within 200 feet: 23

Registered Neighborhood Associations within 200 feet: King William Neighborhood Association and Lavaca Neighborhood Association

Applicable Agencies: None

Property Details

Property History: The subject property was included in the original 36 square miles of City of San Antonio in 1938 and zoned "H" Local Retail District. In a 1991 large area rezoning case, the property was rezoned to "B-3R" Restrictive Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3R" General Commercial Restrictive Alcohol Sales District.

Topography: The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: C-3R H

Current Land Uses: Liquor Store, Vacant Lot

Direction: West

Current Base Zoning: C-2 H HS

Current Land Uses: Restaurant, Retail Shops

Direction: South
Current Base Zoning: IDZ H
Current Land Uses: Parking Lot

Direction: East
Current Base Zoning: C-3R H
Current Land Uses: Vacant Lot

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 surrounding properties are located in the Lavaca Historic District, which was adopted in November 8, 2001. Historic districts do not regulate use of the property, but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

Transportation

Thoroughfare: Presa Street
Existing Character: Major Arterial
Proposed Changes: None

Thoroughfare: St. Mary's Street
Existing Character: Major Arterial
Proposed Changes: None

Public Transit: The nearest VIA bus route is #51 within walking distance of the subject property.

Traffic Impact: A Traffic Impact Analysis (TIA) is not required. Infill Development (IDZ) is exempt from TIA requirements.

Parking Information: The "IDZ" Infill Development Zone District waives off-street vehicle parking requirements.

ISSUE:
None.

ALTERNATIVES:
A denial of the request will result in the subject property retaining the current zoning district.

FISCAL IMPACT:
None.

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 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" Infill Development uses permitted in "C-2" Commercial District base zoning district and a Bar 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" base zoning district is not appropriate for the subject property's location because it is not consistent with the adopted land use designation. The requested zoning district of "IDZ" uses permitted in "C-2" Commercial District and a Bar is appropriate for the subject property's location as the "C-2" base district is consistent with the land use designation and permits more retail uses appropriate for the size and location of the properties.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

5. Public Policy:

The rezoning request does not appear to conflict with land use goals and strategies of the Lavaca Neighborhood Plan to encourage reinvestment on the existing commercial corridors (S. Presa St. and S. St. Mary's St.) in the Lavaca planning area. Small, neighborhood scale destination commercial development or mixed uses are highly desired to improve economic health of the neighborhood and provide a wider range of services for residents.

6. Size of Tract:

The subject property totals 0.2277 acres in size, which should reasonably accommodate the uses permitted in "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District.

7. Other Factors:

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.

In accordance with the San Antonio City Unified Development Code, any exterior modifications for properties zoned historic or RIO must request and must receive a Certificate of Appropriateness from the Office of Historic Preservation prior to receiving a permit. Approval of a zoning change does not imply approval of or take the place of such review as directed by the UDC. To date, no application for modifications at this address has been submitted for review.