



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-6037

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 11/6/2018

**Title:** ZONING CASE # Z2018352 (Council District 1): A request for a change in zoning from "I-2 RIO-7E AHOD" Heavy Industrial River Improvement Overlay Airport Hazard Overlay District to "IDZ RIO-7E AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District on 1.131 acres out of NCB A-63, located at 210 West Peden Alley. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018352

**SUMMARY:**

**Current Zoning:** "I-2 RIO-7E AHOD" Heavy Industrial River Improvement Overlay Airport Hazard Overlay District

**Requested Zoning:** "IDZ RIO-7E AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 6, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** MC Properties and Investments, LLC

**Applicant:** Greg Shue

**Representative:** Brown & Ortiz, P.C.

**Location:** 210 West Peden Alley

**Legal Description:** 1.131 acres out of NCB A-63

**Total Acreage:** 1.131

**Notices Mailed**

**Owners of Property within 200 feet:** 83

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

**Applicable Agencies:** Office of Historic Preservation, Planning Department

**Property Details**

**Property History:** The subject property was included in the Original 36 Square-Mile San Antonio City Limits. The subject property was zoned "L" First Manufacturing District which converted to the current "I-2" Heavy Industrial District upon adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** I-2, IDZ

**Current Land Uses:** Distribution Center, Roofing Supply

**Direction:** East

**Current Base Zoning:** I-2, IDZ

**Current Land Uses:** Parking, Steel House Lofts

**Direction:** South

**Current Base Zoning:** I-2

**Current Land Uses:** Industrial Businesses

**Direction:** West

**Current Base Zoning:** IDZ

**Current Land Uses:** Parking 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.

"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:** West Peden Alley  
**Existing Character:** Local Road  
**Proposed Changes:** None known

**Thoroughfare:** Marty  
**Existing Character:** Local Road  
**Proposed Changes:** None known

**Public Transit:** There are bus stops nearby within walking distance on South Flores Street along Bus Routes 43, 44, 51 and 54.

**Traffic Impact:** Infill Development Zone is exempt from Traffic Impact Analysis (TIA) Reports.

**Parking Information:** Parking requirements are waived from the Infill Development Zone base zoning district.

**ISSUE:**  
None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “I-2” Heavy Industrial District allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling.

**FISCAL IMPACT:**  
None.

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

The subject property is located within the Downtown Regional Center and is located within a half-mile of the Rockport Subdivision Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Lone Star Community Plan and is currently designated as “High Density Mixed Use” in the 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 has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. The

requested zoning is for “IDZ” with uses permitted in “MF-33” Multi-Family District.

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

The existing “I-2” base zoning district is not appropriate for the surrounding area. Heavy Industrial zoning is too intense for the downtown location and is not appropriate in close proximity to residential uses.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. There is “IDZ” zoning surrounding the subject property, and the proposed use of multi-family is consistent with the recently-zoned properties in the immediate vicinity.

### **5. Public Policy:**

The request does not appear to conflict with any public policy objective. The adopted future land use map classifies the subject properties, and surrounding properties, as “High Density Mixed Use.” The subject property is occupied by a warehouse and zoned “I-2” Heavy Industrial. A zoning change is requested in order to permit redevelopment as condominiums.

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 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 P30: Ensure infill development is compatible with existing neighborhoods.
- The Lone Star Community Plan classifies the site as High Density Mixed Use in the future land use plan, described as a blend of residential, retail, professional services, entertainment, and other related uses, incorporating high quality design and active ground floors. The corresponding zoning districts include multi-family districts, “C-2” and “C-2 P” Commercial districts, as well as special districts such as TOD, MXD and IDZ with uses equivalent to the consistent conventional zoning districts.

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 “Mixed Use Transition” area, described as follows:

The Mixed-Use Transition Character Area includes development that transitions from the Urban Core or Neighborhood Core to adjoining neighborhoods with a range of retail, service, limited light industrial, and urban residential while reinforcing the existing character and transitioning to adjoining neighborhoods. While more urban development patterns are preferred, the Mixed-Use Transition accommodates lower intensity developments with surface parking.

As the design of the proposed development progresses care should be given to ensure appropriate transitions to the surrounding, existing neighborhoods and buildings.

Relevant goals and policies of the Lone Star Community Plan include:

- LU-3: Attract/ retain office, retail, and service uses through zoning and development incentives.
- Strategy LU-3.1: Rezone to ensure a community-scale grocery store and neighborhood-scale retail and service businesses such as neighborhood dry cleaners, coffee shops, restaurants, pharmacies, bike shops, and fitness centers are permitted where appropriate. Utilize “special zoning districts” to reduce minimum off-street parking space requirements to facilitate the reuse of existing sites
- LU-5: Relax development code requirements that prevent or significantly increase the cost of improving and reusing existing commercial buildings along the major corridors and redeveloping vacant and underutilized parcels; provide fee waivers and utilize TIRZ funds to offset the costs of returning these properties to productive use.
- LU-6: Establish policies that provide for a range of housing types that are affordable to people at most income levels.
- Strategy LU-6.1: Rezone to provide a range of housing types including single-family detached, townhouses, senior housing, live/work units, and apartments.
- Generally, the proposal is generally consistent with the SA Tomorrow Comprehensive plan which seeks to encourage infill development within regional centers such as Downtown.

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

The 1.131 acre site is of sufficient size to accommodate the proposed development.

## **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.

The applicant’s request meets the following requirements:

- Master Plan’s Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- Master Plan’s Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.
- Master Plan’s Policy for Neighborhoods - Policy 1d, because it promotes conversion or adaptive reuse of vacant or underutilized commercial buildings to provide affordable infill housing.
- Master Plan’s Policy for Neighborhoods - Policy 4a, because it preserves and revitalizes housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.