



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1761

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/21/2019

**Title:** ZONING CASE # Z-2018-900057 (Council District 2): Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "IDZ-3 AHOD" High Intensity Infill Development Zone with uses permitted in "C-2" Commercial District, Multi-Family not to exceed 350 dwelling units, Bar, Micro-brewery, Beer Garden, and Hotel on Lot 1 and P-100, Lots 2-9, Lots 11-17, Lots 19-20, Lot 1A, Lot 2A, Lot 3A, Lot 4A, Lot 5A, Block 5, NCB 643, located at the intersection of East Cesar E. Chavez Boulevard and South Cherry Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2018-900015)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-02-21-0159

Date	Ver.	Action By	Action	Result
2/21/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2018-900057  
(Associated Plan Amendment PA-2018-900015)

**SUMMARY:**

**Current Zoning:** "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Requested Zoning:** "IDZ-3 AHOD" High Intensity Infill Development Zone with uses permitted in "C-2" Commercial District, Multi-Family not to exceed 350 dwelling units, Bar, Micro-brewery, Beer Garden, and Hotel

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 15, 2019

**Case Manager:** John Osten, Senior Planner

**Property Owner:** HB Properties I, LLC

**Applicant:** HB Properties I, LLC

**Representative:** Patrick W. Christensen

**Location:** multiple properties located west of the intersection of East Cesar E. Chavez Boulevard and South Cherry Street

**Legal Description:** Lot 1 and P-100, Lots 2-9, Lots 11-17, Lots 19-20, Lot 1A, Lot 2A, Lot 3A, Lot 4A, Lot 5A, Block 5, NCB 643

**Total Acreage:** 3.473

### Notices Mailed

**Owners of Property within 200 feet:** 45

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** Planning Department

### Property Details

**Property History:** The properties were a part of the original 36-square miles of San Antonio and were zoned "L" First Manufacturing District. The properties were rezoned from "L" to "B-3R" Business Restrictive Alcohol Sales and "I-1" Light Industrial District by Ordinance 79329, dated December 16, 1993. The properties converted from "B-3R" and "I-1" to the current "C-3R" and "I-1" with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**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:** "D", "C-3R"

**Current Land Uses:** Parking Lot, Vacant Residential

**Direction:** East

**Current Base Zoning:** "D", "O-2", "I-1", "C-3R"

**Current Land Uses:** Parking Lot, Single-Family Residential, Vacant Industrial, Vacant Residential

**Direction:** South

**Current Base Zoning:** "C-3R", "I-1", "RM-4"

**Current Land Uses:** Single-Family Residential, Vacant Residential

**Direction:** West

**Current Base Zoning:** "I-1", "I-2"

**Current Land Uses:** Single-Family Residential, Print Shop, Warehouse

### **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 Cesar E. Chavez Boulevard

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Iowa Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 26, 30 and 225 are within walking distance of the subject properties.

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

**Parking Information:**

The minimum parking required is reduced by fifty-percent because of the "IDZ-3" request.

**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 "I-1" General Industrial 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.

**FISCAL IMPACT:**

None.

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

The properties are located within the Downtown Regional Center and are not located within ½ of a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval, pending the Plan Amendment.

**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 Arena District/Eastside Community Plan and is currently designated as “Light Industrial” in the future land use component of the plan. The requested “IDZ” base zoning district is not consistent with the future land use designation. The applicant is requesting a plan amendment from “Light Industrial” to “Mixed Use”. Staff and Planning Commission recommend Approval.

**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 “I-1” are not appropriate base zoning districts for the subject properties. The requested “IDZ-3” will allow uses that will revitalize the underutilized lots.

**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 proposed “Mixed Use” is generally consistent with the goals and objectives of the Arena/Eastside Community Plan and ongoing Downtown Regional Plan. The land use amendment is requested in order to rezone the property from “C-3R” and “I-1” to “IDZ-3” with uses permitted in “C-2”, Multi-Family (Not to exceed 350 dwelling units), Bar, Micro-brewery, Beer Garden, and Hotel in order to develop a mixed use development on underutilized commercial and industrial property . The plan emphasizes the desire to attract new residential, businesses, services and retail establishments.

Relevant Goals, Policies, and Actions of the Comprehensive Plan may 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 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.

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 A11: Develop transit supportive land use designations and zoning and apply it to VIAs priority high capacity transit stations and stops, both existing and proposed.

H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit,

employment, retail, medical and recreational amenities.

H Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.

H P17: Encourage development projects to have a mixture of uses.

H P18: Encourage housing to be built with, near or adjacent to retail uses.

H P21: Develop transit supportive zoning and infrastructure improvement plans for regional centers and transit corridors.

H P28: Explore commercial and industrial areas in the core of the city for conversion to residential or mixed-use.

## 6. Size of Tract:

The subject property is 3.473 acres, which could accommodate the proposed mixed use 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 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 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.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation. OHP staff has corresponded with the applicant's representative regarding the potential

demolitions. In particular, there are concerns over the demolition of the structure located at 313 Virginia which was built circa 1922 as a church for an African-American congregation and within a few years also became the Labor Temple and Headquarters for the Grand Union of Colored Laborers. A demolition request for the structure at 313 Virginia would require approval from the Historic and Design Review Commission because of its potential historic significance.