



City of San Antonio

Legislation Details (With Text)

File #: 19-6086

Type: Zoning Case

In control: City Council A Session

On agenda: 10/17/2019

Title: ZONING CASE Z-2019-10700027 (Council District 5): Ordinance amending the Zoning District Boundary from "R-5 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for a Duplex, "C-1 MLOD-2 MLR-1 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3NA MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "IDZ-3 MLOD-2 MLR-1 AHOD" High Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with uses permitted in "MF-65" Multi-Family District, "C-2" Commercial District, Motor Vehicle Sales and a Duplex on Lots 15, 16, 17, 19, and 20, Block 19, NCB 8700, located at 3727 Nogalitos Street, 127 Ames Avenue and 131 Ames Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600006) (Continued from August 8, 2019.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-10-17-0869

Date	Ver.	Action By	Action	Result
10/17/2019	1	City Council A Session		

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 5

SUBJECT:

Zoning Case Z-2019-10700027
(Associated Plan Amendment PA-2019-11600006)

SUMMARY:

Current Zoning: "R-5 CD MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for a Duplex, "C-1 MLOD-2 MLR-1 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3NA MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive

Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "IDZ-3 MLOD-2 MLR-1 AHOD" High Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with uses permitted in "MF-65" Multi-Family District, "C-2" Commercial District, Motor Vehicle Sales and a Duplex

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 19, 2019

Case Manager: Mirko Maravi, Planner

Property Owner: Randall S. Vail, Eddie Rodriguez, and Lucina M. Guerrero

Applicant: Brad McMurray

Representative: Brad McMurray

Location: 3727 Nogalitos, and 127 Ames Avenue and 131 Ames Avenue

Legal Description: Lots 15, 16, 17, 19, and 20, Block 19, NCB 8700

Total Acreage: 1.6139

Notices Mailed

Owners of Property within 200 feet: 37

Registered Neighborhood Associations within 200 feet: None.

Applicable Agencies: Texas Department of Transportation, Planning Department, and Lackland Airforce Base

Property Details

Property History: The property was annexed into San Antonio Limits by Ordinance 1259, dated August 3, 1944. The property was rezoned from "B" Residence District, "C" Apartment District, "R-311 Multiple Family Residence District, "R-311 CC Multiple Family Residence District with City Council approval for a day care center, "B-111 Business District, "F" local Retail District, "H" local Retail District, "B-3" Business District, "J" Commercial District and "JJ" Commercial District to "R-511 SUP Single Family Residence District with special use permit for a duplex, "B-1" Business District, "B-3" Business District, "B-3NA" Business District, Nonalcoholic Sales, and "B-3R" Restrictive Business District. The property converted to the current "R-5 CD", "C-1", "C-3", "C-3NA", and "C-3R" 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: "C-2", "R-5 CD" and "R-5"

Current Land Uses: Residential Dwellings and Restaurant

Direction: East

Current Base Zoning: “C-3R”

Current Land Uses: Motor Vehicle Sales, Restaurant, and Auto & Light Truck Repair

Direction: South

Current Base Zoning: “R-5” and “C-3R”

Current Land Uses: Motor Vehicles Sales, Animal Feed Store and Vacant Lot.

Direction: West

Current Base Zoning: “R-5” and “MF-33”

Current Land Uses: Residential Dwellings

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.

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-2" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

Transportation

Thoroughfare: Nogalitos Street

Existing Character: Secondary Arterial Type B

Proposed Changes: None Known

Thoroughfare: Ames Avenue

Existing Character: Local

Proposed Changes: None Known

Public Transit: VIA bus route are within walking distance of the subject property

Routs Served: 51, 251, 521

Traffic Impact: A Traffic Impact Analysis (TIA) is not required. “IDZ” is exempt from all TIA requirements

Parking Information:

“IDZ-3” reduces the minimum parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “R-5”, “C-1”, “C-3”, “C-3NA”, and “C-3R”. “R-6” districts provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character. "C-1" districts accommodate

neighborhood commercial uses which depend on a greater volume of vehicular traffic than an "NC" district. "C-1" uses are considered appropriate buffers between residential uses and "C-2" and "C-3" districts and uses. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located half a mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (6-3) recommend Approval, pending 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 Nogalitos/South Zarzamora Community Plan and is currently designated as "Neighborhood Commercial" and "Medium Density Residential" in the future land use component of the plan. The requested "IDZ" base zoning district is inconsistent with the future land use designation. The applicant is requesting a Plan Amendment from "Neighborhood Commercial" and "Medium Density Residential" to "Mixed Use" to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval of the Plan Amendment.

2. Adverse Impacts on Neighboring Lands:

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request is a downzoning of the high intensity commercial zoning that currently exists on the property.

3. Suitability as Presently Zoned:

The current "R-6" Residential Single-Family District and "C-1" Light Commercial District are an appropriate zoning for the property and surrounding area. However, the portion of the property that is zoned "C-3", "C-3NA" and "C-3R" are inconsistent with the surrounding properties and the future land use designation.

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 applicant is requesting a zoning change from "C-3," "C-3R," "C-3NA," "C-1" and "R-5 CD" to allow for the construction of a multi-family complex with affordable housing. The future land use for the subject property is currently designated "Neighborhood Commercial" and "Medium Density Residential," which is located within the Nogalitos/South Zarzamora Community Plan. The applicant is also requesting a Plan Amendment to "Mixed Use" which allows for a concentrated, well structured, and integrated blend of residential, retail, service, office, entertainment, leisure, and other related uses at increased densities. The lot is currently vacant along Nogalitos Street and on the corner lot of Ames Avenue and Bloom Street. There are two duplexes on the

remaining lot near the intersection of Ames Avenue and Bloom Street.

The subject property is located within close proximity to the Zarzamora Premium Transit Corridor, as established in the SA Corridors Plan and the SA Tomorrow Comprehensive Plan. The Zarzamora Corridor is anchored by Texas A&M and the Medical Center and future development along the corridor should be transit-supportive. Mixed use developments consisting of commercial, office, and residential uses are supported within close proximity of future rapid transit routes. The subject property is adjacent to commercial and residential zoning. The request for Infill Development Zone will permit a mixture of uses including multi-family with a density not to exceed 65 units per acre, "C-2" commercial uses, and motor vehicle sales. It is recommended that any "C-2" uses and the use of Motor Vehicle Sales does not encroach into the existing residential area and stay along the commercial corridor on Nogalitos Street.

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 P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
- TC Goal 1: San Antonio has a world class multimodal transportation system, providing safe and comfortable connectivity to residential, commercial, education, cultural, healthcare, and recreation opportunities
- TC P25: Develop incentives and zoning regulations to encourage transit-supportive development
- TC P30: Design commercial, residential, educational, cultural, and recreational facilities that support and provide access to and all transportation modes
- 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 Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
- H P22: Redevelop vacant and underutilized properties on transit corridors into stand alone or mixed-use higher-density housing.
- H P30: Ensure infill development is compatible with existing neighborhoods.

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Nogalitos/South Zarzamora Community Plan:

- Improve the quality, appearance, and variety of existing and new housing for people of all ages while preserving the character of the neighborhoods.
- Provide a variety of housing types that sustain all ages and economic groups.

- Protect and preserve the character of the neighborhoods and commercial corridors while improving their physical appearance.
- Attract and support a variety of businesses in a walkable, mixed-use environment.

6. Size of Tract:

The subject property is 1.6139 acres, which could reasonably accommodate a multi-family and commercial development.

7. Other Factors:

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.

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request.

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 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 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.
- The applicant's request the 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.
- The applicant's request the Master Plan's Policy for Neighborhoods - Policy 2b, because it creates mixed-use districts.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 1c, because it develops zoning that allows mixed-use development (i.e. residential and commercial) to be placed in the same building.