City of San Antonio

Legislation Details (With Text)

File #: 19-7607

Type: Zoning Case

In control: City Council A Session

On agenda: 12/5/2019

Title: ZONING CASE Z-2019-10700187 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3NA HS RIO-4 NCD-1 AHOD" General Commercial Nonalcoholic Sales Historic Significant River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District, "RM-4 NCD-1 AHOD" Residential Mixed South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District and "IDZ RIO-4 NCD-1 AHOD" Infill Development Zone River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2 NA" Commercial Nonalcoholic Sales District and "MF-25" Multi Family District to "IDZ-3 HL RIO-4 NCD-1 AHOD" High Intensity Infill Development Zone Historic Landmark River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, uses permitted for multi-family with up to 39 dwelling units, and a Hotel and "IDZ-3 NCD-1 AHOD" High Intensity Infill Development Zone South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, uses permitted for multi-family with up to 39 dwelling units, and a Hotel (all overlays remain the same) on Lot 9, the west 42.8 feet of the south 22 feet of Lot 10 , the north 125 feet of Lot 10 and the east 46.2 feet of the south 22 feet of Lot 10, NCB 2979, located at 141 Jacobs, 143 Jacobs, 1714 South Saint Mary's Street and 1722 South Saint Mary's Street. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance

Date	Ver.	Action By	Action	Result
12/5/2019	1	City Council A Session		

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:
Zoning Case Z-2019-10700187

SUMMARY:
Current Zoning: "C-3NA HS RIO-4 NCD-1 AHOD" General Commercial Nonalcoholic Sales Historic Significant River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District, "RM-4 NCD-1 AHOD" Residential Mixed South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District and "IDZ RIO-4 NCD-1 AHOD" Infill Development Zone River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2 NA"

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Commercial Nonalcoholic Sales District and "MF-25" Multi Family District

Requested Zoning: "IDZ-3 HL RIO-4 NCD-1 AHOD" High Intensity Infill Development Zone Historic Landmark River Improvement Overlay South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, uses permitted for multi-family with up to 39 dwelling units, and Hotel and "IDZ-3 NCD-1 AHOD" High Intensity Infill Development Zone South Presa Street/South Saint Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, uses permitted for multi-family with up to 39 dwelling units and a Hotel (all overlays remain the same)

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: October 1, 2019

Case Manager: Patricia Franco, Planner

Property Owner: Aspire MultiFamily LLC

Applicant: Harris-Bay

Representative: Patrick W. Christensen

Location: 141 Jacobs, 143 Jacobs, 1714 South Saint Mary's Street and 1722 South Saint Mary's Street

Legal Description: Lot 9, the west 42.8 feet of the south 22 feet of Lot 10 , the north 125 feet of Lot 10 and the east 46.2 feet of the south 22 feet of Lot 10, NCB 2979

Total Acreage: 0.5013

Notices Mailed
Owners of Property within 200 feet: 38
Registered Neighborhood Associations within 200 feet: Lavaca Neighborhood Association; Downtown Residents Association
Applicable Agencies: Office of Historic Preservation

Property Details
Property History: The subject property was part of the original 36 square miles and annexed into the City of San Antonio dated April 19, 1905. The property was originally zoned "J" Commercial District and was rezoned to "B-3NA" Business District Non-Alcoholic by Ordinance 74924, dated December 9, 1991. The property converted to "C-2NA with the adoption of the 2001 Unified Development Code and was later rezoned to "IDZ" HS CD-2 RIO-4 Infill Development Historic Significant Neighborhood Conservation River Improvement Overlay District with uses permitted in "C-2 NA "Commercial Nonalcoholic Sales District and "MF-25" Multi Family District by Ordinance 2007-04-19-0478 on date March 4, 2007.

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-3NA"

Current Land Uses: Professional Office

Direction: East
Current Base Zoning: "RM-4"
Current Land Uses: Vacant Land

Direction: West
Current Base Zoning: "RM-4"
Current Land Uses: Brackenridge High School

Direction: South
Current Base Zoning: "IDZ" and "C-3NA"
Current Land Uses: Southtown barbers

Overlay and Special District Information:
"H"
The surrounding properties are located in the Lavaca Historic District, which was adopted in 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.

"HL"
A number of surrounding properties carry the "HS" Historic Significant landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. 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.

"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.

"NCD"
The South Presa Street/South Saint 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. A zoning review is performed by the Zoning Section of the Development Services Department.

"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: South St.Mary's
Existing Character: Principal
Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.
Routes Served: 34, 42 and 239 operate on S. St. Mary's

Traffic Impact: A Traffic Impact Analysis (TIA) cannot be determined at this time.

Parking Information: The minimum parking requirement of 1.5 per unit and 1 per 300 square feet for a typical retail use has been reduced 50% by the "IDZ-3" district.

ISSUE:
None.

ALTERNATIVES:
Current:
Denial of the requested zoning change would result in the subject property retaining the present zoning district of "C-3NA" General Commercial Nonalcoholic Sales District and "RM-4" Residential Mixed District and "IDZ" Infill Development Zone District with uses permitted in"C-2 NA" Commercial Nonalcoholic Sales District and "MF-25" Multi Family District

Proposed:
Approval of the requested zoning change would result in the subject property's zoning on the Subject Property to become "IDZ-3" High Intensity Infill Development Zone with multi-family development and commercial/retail uses, with a proposed total of 39 multifamily units.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The subject property is located within the Downtown Regional Center and does not fall within a ½ mile of a Transit Corridor.

RECOMMENDATION:
Staff Analysis and Recommendation: Staff and Zoning Commission (9-1) 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 "Mixed Use". The requested "IDZ-3" base zoning district is consistent with the future land use designation.

2. Adverse Impacts on Neighboring Lands:
Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The property is already partially zoned "IDZ". The request for rezoning of additional properties establishes uniformity.

3. Suitability as Presently Zoned:
The current "IDZ" Infill Development Zone is an appropriate zoning for the property and surrounding area. The proposed "IDZ-3" adds more density (39 units) than the existing "IDZ" and remains consistent with the current future land use.

4. Health, Safety and Welfare:
Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

5. Public Policy:
The subject property is located within the Lavaca Neighborhood Association and the ongoing Downtown Regional Center Plan area. The property is currently undeveloped and sits at the intersection of South Saint Mary's and Jacobs Street. The proposed zoning change is requested to allow a mixed-use infill development.

Relevant Goals and Policies of the Comprehensive Plan may include:

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.

H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

H Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.

H P30: Ensure infill development is compatible with existing neighborhoods.

Goal 2 of The Lavaca Neighborhood Plan specifically establishes a housing goal to "improve the overall quality of housing while maintaining the historic character within the Lavaca Neighborhood." Objective 2.1 states "Maintain the existing character of the historic residential buildings and encourage compatible infill housing within the neighborhood." And, Action 2.1.2 states "Encourage compatible infill housing on vacant parcels throughout the neighborhood. Compatible housing will maintain the historical and architectural integrity of the neighborhood and help to better utilize vacant and/or unkempt properties."

The proposal is generally consistent with the above listed goals and policies of the SA Tomorrow Comprehensive Plan as well as the Lavaca Neighborhood Plan.

"IDZ"
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 of 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 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 proposed change in zoning on the Subject Property of "C-3NA", "RM-4" and "IDZ" with uses permitted in"C-2 NA" Commercial Nonalcoholic Sales District and "MF-25" Multi Family District to "IDZ-3" High Intensity Infill Development Zone is to allow for an infill, multi-family development with commercial/retail uses, with a proposed total of 41 multifamily units.

6. Size of Tract:
The subject property is 0.501 acres, which could reasonably accommodate infill development of residential and mixed commercial uses.

7. Other Factors:
This property is designated a local historic landmark (HS) and in the RIO-4 overlay. Any proposed exterior alterations or new construction associated with the proposal will require approval from the Historic and Design Review Commission. Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Historic and Design Review Commission for new construction.