City of San Antonio

Legislation Details (With Text)

File #:	20-6667
Type:	Zoning Case
In control:	Zoning Commission
On agenda:	11/17/2020
Title:	ZONING CASE Z-2020-10700221 CD (Council District 1): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "I-1 HS RIO-7E AHOD" General Industrial Historic River Improvement Overlay Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Bar/Tavern and "C-2 CD HS RIO-7E AHOD" Commercial Historic River Improvement Overlay Airport Hazard Overlay District with Conditional Use for Bar/Tavern on 0.334 acres out of NCB 1011, located at 120 Nogalitos Street and 1521 South Flores Street. Staff recommends Approval. (Victoria Castro, Planner, (210) 207-2736, Victoria.Castro@Sanantonio.gov, Development Services).
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Map, 2. Site Plan

Date	Ver.	Action By	Action	Result

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:
Zoning Case Z2020-10700221 CD

SUMMARY:
Current Zoning: "I-1 AHOD" General Industrial Airport Hazard Overlay District and "I-1 HS RIO-7E AHOD" General Industrial Historic River Improvement Overlay Airport Hazard Overlay District

Requested Zoning: "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Bar/Tavern and "C-2 CD HS RIO-7E AHOD" Commercial Historic River Improvement Overlay Airport Hazard Overlay District with Conditional Use for Bar/Tavern

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: November 17, 2020

Case Manager: Victoria Castro, Planner

Property Owner: Leopoldo Chavarria

Applicant: Leopoldo Chavarria

Representative: Leopoldo Chavarria

Location: 120 Nogalitos Street and 1521 South Flores Street

Legal Description: 0.334 acres out of NCB 1011

Total Acreage: 0.334

Notices Mailed
Owners of Property within 200 feet: 18
Registered Neighborhood Associations within 200 feet: Collins Garden Neighborhood Association and Lone Star Neighborhood Association

Applicable Agencies: Planning Department and Office of Historic Preservation

Property Details
Property History: The property was part of the Original 36 square miles and zoned "J" Commercial District.

Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "J" Commercial District converted to the current "I-1" General Industrial District.

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: "I-1"
Current Land Uses: Vacant Structure

Direction: East
Current Base Zoning: "IDZ"
Current Land Uses: Alamo Architects and Laborde & Associates PC

Direction: South
Current Base Zoning: "I-1"
Current Land Uses: St. Henry's Church and School

Direction: West
Current Base Zoning: "1-1"
Current Land Uses: Pickard's Recycling

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.

"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.

Transportation
Thoroughfare: Nogalitos Street
Existing Character: Secondary Arterial Type B
Proposed Changes: None Known

Thoroughfare: Keller Street
Existing Character: Local
Proposed Changes: None Known

Thoroughfare: South Flores Street
Existing Character: Secondary Arterial Type B
Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property Routes served: 43, 51.

Traffic Impact: A Traffic Impact Analysis (TIA) is required. Nogalitos Street and South Flores Street are Secondary Arterial Type B streets (70-86' ROW - 43' from centerline; 48' of pavement - 24' from centerline). ROW dedication and pavement construction may be required. Per UDC Table 506-3, note 5, arterials require bike facilities. Keller Street is a substandard street, ROW dedication and pavement widening may be required to meet local B standards (60' ROW - 30' from centerline, 40' min. pavement width - 20' from centerline).

Parking Information: The minimum parking requirement for Bar/Tavern is 1 parking space per 100 square foot of Gross Floor Area. The minimum parking requirement for a Mobile Food Court is 2 parking spaces per mobile food establishment unit.

ISSUE:
None.

ALTERNATIVES:
Current: The current zoning district designation of "I-1" accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

Proposed: The proposed zoning district designation of "C-2" accommodates community commercial uses,

with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "CD" Conditional Use will allow all "C-2" uses in addition a Bar/Tavern.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The property is not within a Regional Center and is not within a 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 "C-2" 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.

3. Suitability as Presently Zoned:
The existing "I-1" General Industrial District is appropriate for the surrounding area. The proposed "C-2" Commercial District downzone is more appropriate and supports the neighborhood plan of phasing out of industrial uses.

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 request does not appear to conflict with any public policy objective of the Lone Star Community Plan, which encourages the following:

> **LU-1:** Establish performance standards for industrial uses. Phase out industrial uses that do not comply with performance standards with a combination of zoning changes and relocation assistance.

6. Size of Tract:
The 0.334 acre site is of sufficient size to accommodate the proposed commercial development.

7. Other Factors:
The applicant is requesting to rezone for commercial uses with a Conditional Use for Bar/Tavern.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.