



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-2875

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/15/2021

**Title:** ZONING CASE Z-2020-10700266 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3 NCD-1 AHOD" General Commercial South Presa Street and South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District to "IDZ-2 NCD-1 AHOD" Medium Intensity Infill Development Zone South Presa Street and South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and for ten (10) dwelling units on Lots 1 through 6, NCB 6857, located at 114 West Carolina Street. Staff and Zoning Commission recommend Approval. (Continued from April 1, 2021)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Ground Plan Comparison Form, 4. Zoning Minutes, 5. Draft Ordinance, 6. Ordinance 2021-04-15-0248

Date	Ver.	Action By	Action	Result
4/15/2021	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2020-10700266

**SUMMARY:**

**Current Zoning:** "C-3 NCD-1 AHOD" General Commercial South Presa Street and South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "IDZ-2 NCD-1 AHOD" Medium Intensity Infill Development Zone South Presa Street and South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and for ten (10) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 2, 2021. This case is continued from the December 15, 2020, January 19, 2021 and February 2, 2021 hearings.

**Case Manager:** Justin Malone, Planner

**Property Owner:** Patrick Shearer

**Applicant:** Scott Jones

**Representative:** Scott Jones

**Location:** 114 West Carolina Street

**Legal Description:** Lots 1 through 6, NCB 6857

**Total Acreage:** 0.30

**Notices Mailed**

**Owners of Property within 200 feet:** 29

**Registered Neighborhood Associations within 200 feet:** Lavaca Neighborhood Association

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The property was part of the Original 36 square miles and zoned "J" Commercial District. The subject property was rezoned by Ordinance 74924, dated December 9, 1991, from "J" Commercial District to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial 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:** "C-3 NA"

**Current Land Uses:** Office Building, Auto Parts Store

**Direction:** East

**Current Base Zoning:** "C-3" and "C-3 NA"

**Current Land Uses:** Fitness Studio, Art Gallery

**Direction:** South

**Current Base Zoning:** "C-3 NA"

**Current Land Uses:** Offices

**Direction:** West

**Current Base Zoning:** "C-3NA"

**Current Land Uses:** Restaurant

**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.

**"NCD"**

The South Presa Street and South St. Mary's Street 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.

**"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 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.

**Transportation**

**Thoroughfare:** West Carolina Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Transportation**

**Thoroughfare:** Playmoor Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Transportation**

**Thoroughfare:** Marplay Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Transportation**

**Thoroughfare:** Presmoor Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 32, 34, 36, 42, 232 and 242.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. West Carolina is a Secondary Arterial Type B. ROW dedication and pavement construction may be required.

**Parking Information:** The parking requirement for "IDZ-2" is reduced by 50 percent.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning district designation of “C-3” 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.

**Proposed:** The proposed zoning district designation of “IDZ-2” allows rezoning requests with uses permitted in “C-2” Commercial and for ten (10) dwelling units. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

**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 and Zoning Commission (11-0) 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 Downtown Area Regional Center Plan and is currently designated as “Urban Mixed-Use” in the land use component of the plan. The requested “IDZ-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. The request and site plan limit the density to ten (10) dwelling units.

**3. Suitability as Presently Zoned:**

The existing “C-3” base zoning district is appropriate for the surrounding area. The proposed “IDZ-2” is also appropriate and achieves the plan’s goal of increasing the number of residents in the Downtown Area. The site is located on West Carolina Street, a one-block from South St. Mary’s Street and one block from South Presa Street. The proposed zoning change is requested to develop “C-2” Commercial uses and for ten (10) dwelling units.

**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 Downtown Area Regional Center Plan, which encourages the following:

**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.

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

**Relevant Downtown Area Regional Center Plan Goals, Recommendations and Strategies include:**

**Goal 6:** Broaden the Diversity of Housing Options throughout the Downtown Core and its Neighborhoods

**H Goal 2:** A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.

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

**Land Use Recommendation #5:** Discourage incremental rezoning (both up-zoning and down-zoning) in Downtown neighborhood areas.

**Housing Recommendation #2:** Support housing growth in the Downtown Area by creating a diversity of housing options in mixed-use areas and accommodating additional housing in neighborhoods and transition areas through context sensitive design and small-scale infill.

**Strategy 2.3:** Identify opportunities and remove barriers for existing neighborhoods to accommodate additional housing by allowing for smaller lots, accessory dwelling units and middle-density housing types (e.g. duplex, townhomes) where appropriate, particularly in areas of transition between established low-density residential neighborhoods and higher density neighborhoods.

**Relevant Lavaca Neighborhood Priorities:**

Encourage new dwellings on empty land in the neighborhood, if the development follows traditional patterns of scale and building configuration. Support diverse housing types and housing affordability, including housing for families.

Support business growth on South Presa and South St. Mary's Streets. A mix of uses is desired on both; however South Presa should be primarily residential in character and South St. Mary's Street primarily commercial.

The proposal is generally consistent with the above listed goals and policies of the SA Tomorrow Comprehensive Plan as well as the goals, recommendations and strategies of the Downtown Area Regional

Center Plan.

**6. Size of Tract:**

The 0.30-acre site is of sufficient size to accommodate the proposed residential dwelling units and commercial uses.

**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 proposed “IDZ-2” holds the applicant to the submitted site plan with a density of 10 units and caps the height at 4-stories.