



# City of San Antonio

## Agenda Memorandum

**File Number:**16-1526

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**Agenda Item Number:** Z-3.

**Agenda Date:** 2/18/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2016046

**SUMMARY:**

**Current Zoning:** "C-2 NCD-1 AHOD" Commercial South Presa/South Saint Mary's Street Neighborhood Conservation Airport Hazard Overlay District and "C-3NA NCD-1 AHOD" General Commercial Nonalcoholic Sales South Presa/South Saint Mary's Street Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "IDZ NCD-1 AHOD" Infill Development Zone South Presa/South Saint Mary's Street Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "MF-25" Low Density Multi-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 19, 2016

**Case Manager:** Ernest Brown, Planner

**Property Owner:** S Presa Development, LLC, by Darryl Gamble, Manager

**Applicant:** BIG RED DOG (Marissa Morales)

**Representative:** Randon McKee P.E.

**Location:** 1610 South Presa Street and 1614 South Presa Street

**Legal Description:** Lot 3, Block 30, NCB 3036 and Lot 1, Block 1, NCB 2959

**Total Acreage:** 0.38

**Notices Mailed**

**Owners of Property within 200 feet:** 34

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

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property is located within the city limits as established in 1938 and was zoned "D" Apartment District and "J" Commercial District. In 1991 the subject property was rezoned to "B-2" Business District and "B-3NA" Business District Non Alcoholic Sales. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2" Commercial District and "C-3NA" General Commercial Non-Alcoholic Sales District. The subject properties were platted as established in the original 36 square mile City of San Antonio plat. In 1905 Lot 3, Block 30, NCB 3036 was developed with 2,124 square feet residential structure. In 1990 Lot 1, Block 1, NCB 2959 was developed with 1,332.0 square feet equipment shed.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-2, RM-4

**Current Land Uses:** Single Family Residence, Church Parking Lot, Apartments

**Direction:** East

**Current Base Zoning:** RM-4, R-6

**Current Land Uses:** Single Family Residence

**Direction:** South

**Current Base Zoning:** C-2, C-3, C-3NA, RM-4

**Current Land Uses:** Office, Iron Works, Unknown

**Direction:** West

**Current Base Zoning:** C-3, C-2, C-3NA, RM-4

**Current Land Uses:** Bar, Apartment, Vacant

**Overlay and Special District Information:** 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.

The South Presa/South Saint 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.

### **Transportation**

**Thoroughfare:** South Presa

**Existing Character:** Secondary Arterial, Type B; one lane each direction with sidewalks both sides.

**Proposed Changes:** None known

**Thoroughfare:** Lotus Street, Leopold Street, Jacobs Street

**Existing Character:** Local, Type A; one lane each direction with sidewalks both sides.

**Proposed Changes:** None known.

**Public Transit:** The nearest transit routes to the subject property are route 36 that operates along South Presa Street.

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

**Parking Information:** The “IDZ” Infill Development Zone District is exempt from off street vehicle parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 Lavaca Neighborhood Plan and is currently designated as Mixed Use land use in the future land use component of the plan. The requested “IDZ” base zoning district for uses permitted for “MF-25” Low Density Multi-Family is consistent with the adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The existing base zoning district of “C-2” and “C-3” is not consistent with future designation of the Lavaca Neighborhood Plan.

**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 request does not appear to conflict with any public policy objective. The proposed development will redirect the Commercial and General Commercial towards the Mixed Use land uses as encouraged by the Lavaca Neighborhood Plan.

**6. Size of Tract:**

The subject property measures 0.38 of an acre tract and is sufficient to accommodate the proposed development and IDZ development requirements.

**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.