



# City of San Antonio

## Agenda Memorandum

**File Number:**17-2103

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**Agenda Item Number:** 15.

**Agenda Date:** 3/21/2017

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2017087

**SUMMARY:**

**Current Zoning:** "C-3NA H AHOD" General Commercial Nonalcoholic Sales Tobin Hill Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ H AHOD" Infill Development Zone Tobin Hill Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "R-4" Residential Single-Family District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 21, 2017

**Case Manager:** Erica Greene, Planner

**Property Owner:** JMS Development

**Applicant:** Joseph M. Smith

**Representative:** Joseph M. Smith

**Location:** 2213 North St. Mary's Street

**Legal Description:** Lot 16, Block 14, NCB 1735

**Total Acreage:** 0.0851

**Notices Mailed**

**Owners of Property within 200 feet:** 17

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Neighborhood Association

**Applicable Agencies:** Department of Planning and Community Development

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City and was previously zoned “J” Commercial District. A 1995 case, ordinance #8331 zoned the subject property as “B-3NA” Business Non-Alcoholic Sales District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “C-3NA” General Commercial Nonalcoholic Sales District.

**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:** IDZ

**Current Land Uses:** Commercial Business

**Direction:** West

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

**Current Land Uses:** Vacant Lot

**Direction:** South

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

**Current Land Uses:** Single-Family Residential

**Direction:** East

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

**Current Land Uses:** Vacant Lot

**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 surrounding properties are located in the Tobin Hill Historic District, which was adopted in November 29, 2007. 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.

### **Transportation**

**Thoroughfare:** North Saint Mary’s Street

**Existing Character:** Secondary Arterial

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus route is #46 within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. Infill Development (IDZ) is exempt from TIA requirements.

**Parking Information:** The “IDZ” Infill Development Zone District waives off-street vehicle parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning district.

**FISCAL IMPACT:**

None.

**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 property is located within the Tobin Hill Neighborhood Plan, and is currently designated as Low Density Mixed Use in the future land use component of the plan. The requested "IDZ" base zoning district with uses is consistent with the future land use designation.

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

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

**3. Suitability as Presently Zoned:**

The current “C-3NA” base zoning district is appropriate for the subject property’s location .The requested zoning district of “IDZ” for commercial uses and single-family residences is also appropriate for the subject property’s location. The properties that are located around the subject property include several business and residential properties which follow the current pattern for development of that area.

**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 requests a zoning change to allow for commercial uses and single family residences. The rezoning request does not appear to conflict with land use goals and strategies of the Tobin Hill Neighborhood Plan that encourages mixed use development where appropriate.

**6. Size of Tract:**

The subject property totals 0.0851 acres in size, which should reasonably accommodate the uses permitted in "IDZ AHOD" Infill Development Zone District with uses permitted in "C-2" Commercial District and “R-4” Residential Single-Family District.

**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.