



# City of San Antonio

## Agenda Memorandum

**File Number:** 17-2902

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**Agenda Item Number:** Z-12

**Agenda Date:** 5/18/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2017103

(Associated Plan Amendment 17032)

**SUMMARY:**

**Current Zoning:** "C-3 NA CD RIO-4 AHOD" General Commercial Nonalcoholic Sales River Improvement Overlay Airport Hazard Overlay District with a Conditional Use for Auto Parts Wholesale and Warehouse

**Requested Zoning:** "IDZ RIO-4 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "MF-50" Multi-Family District, "C-3" General Commercial District and Funeral Home and Mortuary

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 18, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Ladd Little Investment, Ltd

**Applicant:** NRP Properties, LLC

**Representative:** Brown & Ortiz, PC

**Location:** 319 W. Mitchell Street

**Legal Description:** Lot 21 & 22, NCB 2852

**Total Acreage:** 1.6618

**Notices Mailed**

**Owners of Property within 200 feet:** 48

**Registered Neighborhood Associations within 200 feet:** Lone Star Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation and Office of World Heritage

### **Property Details**

**Property History:** The subject property was included in the original 36 square miles of the City of San Antonio and zoned "C" Apartment District and "GG" Local Retail District. A 1974 case (Ordinance 43698) rezoned the subject property as "B-3" Business District. Then a 1985 case (Ordinance 61454) zoned the property "B-3 NA SUP" Business Nonalcoholic Sales with Specific Use Permit for Auto Parts Whole Sale and Warehouse. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3NA CD" General Commercial Nonalcoholic Sales District with a Conditional Use for Auto Parts Whole Sale and Warehouse.

**Topography:** the rear and east side of the property are within close proximity to the 100 year Flood Plain.

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

**Direction:** North

**Current Base Zoning:** MF-33

**Current Land Uses:** Single-Family Residences and Vacant Lots

**Direction:** West

**Current Base Zoning:** MF-33 and C-2

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

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Parking Lot, Confluence Park, Duplex, Single-Family Residences and Vacant Lots

**Direction:** East

**Current Base Zoning:** MF-33

**Current Land Uses:** Single-Family Residences, Restaurant and Vacant Lots

### **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.

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.

### **Transportation**

**Thoroughfare:** West Mitchell Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** King Roger Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** McKay Avenue  
**Existing Character:** Local Street  
**Proposed Changes:** None Known

**Public Transit:**

VIA route 46 is within walking distance form 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 base zoning district.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval, pending Plan Amendment.

**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 South Central San Antonio Community Plan, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ” Infill Development Zone base zoning district is not consistent with the future land use designation. The applicant has requested a plan amendment to change the land use from “Low Density Residential” to “Mixed Use”. Staff and Planning Commission recommend Approval.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant requests this zoning change in order to construct a 4 story 81 unit apartment complex. The subject property is located within close proximity to Probandt and is surrounded by residential and commercial uses.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is appropriate for the subject property’s location; however, the property is located near Probandt and IH 10 and “IDZ” would be a suitable buffer to the adjacent neighborhood.

**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 rezoning request does not appear to conflict with any public policy objective.

#### **6. Size of Tract:**

The subject property totals 1.6618 acres in size, which will reasonably accommodate the uses permitted in “IDZ” Infill Development Zone 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.