



City of San Antonio

Agenda Memorandum

File Number:17-5844

Agenda Item Number: Z-5.

Agenda Date: 11/2/2017

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:

Zoning Case Z2017266

(Associated Plan Amendment 17078)

SUMMARY:

Current Zoning: "C-3 NA HS UC-4 AHOD" General Commercial Non-Alcoholic Sales North Saint Mary's Urban Corridor Historic Significant Airport Hazard Overlay District, "C-1 HS UC-4 AHOD" Light Commercial North Saint Mary's Urban Corridor Historic Significant Airport Hazard Overlay District and "C-1 HS AHOD" Light Commercial Historic Significant Airport Hazard Overlay District

Requested Zoning: "C-2P HS UC-4 AHOD" Commercial Pedestrian North Saint Mary's Urban Corridor Historic Significant Airport Hazard Overlay District and "C-2P HS AHOD" Commercial Pedestrian Historic Significant Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 3, 2017

Case Manager: Daniel Hazlett, Planner

Property Owner: Hartman Properties, INC.

Applicant: Richard E. Hartman

Representative: Richard E. Hartman

Location: 2734 North Saint Mary's Street

Legal Description: 1.26 acres out of NCB 2870

Total Acreage: 1.26

Notices Mailed

Owners of Property within 200 feet: 55

Registered Neighborhood Associations within 200 feet: Tobin Hill Community Association

Applicable Agencies: Planning Department, Office of Historic Preservation

Property Details

Property History: The subject property was included in the original 36 square miles of the City of San Antonio and was zoned "C" Apartment District and "F" Local Retail District. The eastern portion of the property was rezoned from "C" and "F" to "B-1" Business District by Ordinance 50319, dated January 25, 1979. The western portion of the property was rezoned from "B-3" Business District to "B-3NA" Business District Nonalcoholic Sales by Ordinance 83331, dated December 14, 1995. The subject properties converted from "B-1" and "B-3NA" to the presently base zoning districts of "C-1" Light Commercial District and "C-3NA" General Commercial Nonalcoholic Sales District with the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

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: "IDZ"," RM-4"

Current Land Uses: Live Music Venue and Bar, Vacant Lots, Single Family Residences

Direction: East

Current Base Zoning: None

Current Land Uses: U.S. Highway 281

Direction: South

Current Base Zoning: "C-3", "R-6"

Current Land Uses: Nightclub, Single Family Residences

Direction: West

Current Base Zoning: "C-3"

Current Land Uses: Corporate Engineering Office

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.

"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.

"UC-4"

North St. Mary's Street Urban Corridor District ("UC-4") provides standards for properties located on both sides of North St. Mary's Street, an arterial, between I.H. 35 and HWY 281 for a distance of two hundred (200) feet from the street right-of-way. Urban Corridors follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city. A zoning review is performed by the Zoning Section of the Development Services Department.

Transportation

Thoroughfare: North Saint Mary's Street

Existing Character: Collector Street

Proposed Changes: None Known

Thoroughfare: East Russell Place

Existing Character: Local Street

Proposed Changes: None Known

Thoroughfare: Valdez Place

Existing Character: Local Street

Proposed Changes: None Known

Public Transit: Via bus route 8 is within walking distance of the subject property.

Traffic Impact: A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

Parking Information:

There is no minimum or maximum requirement for parking spaces on a commercial parking lot.

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject properties retaining the present zoning district designations. The "C-1" Light Commercial District accommodates neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. Light Commercial uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail - no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods is permitted except for outdoor dining.

The current "C-3NA" General Commercial Nonalcoholic Sales District is intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. General Commercial 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: 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. The sale of alcohol is prohibited within "C-3NA" base zoning districts.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is within a ½ of a mile of the Midtown Regional Center and the New Braunfels Avenue Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission (9-0) recommend Approval, pending the Plan Amendment.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on the approval criteria below.

1. Consistency:

The subject properties are located within the Tobin Hill Neighborhood Plan and are currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-2 P” base zoning district is not consistent with the future land use designation. The case has an associated plan amendment to change the future land use from “Low Density Residential” to “Low Density 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 proposed rezoning to “C-2 P” for the development of a commercial parking lot does not negatively impact the neighboring properties.

3. Suitability as Presently Zoned:

The current base zoning for the properties of “C-3NA” General Commercial Nonalcoholic Sales District and “C-1” Light Commercial District is not suited to the area and is not consistent with the future land use designation of “Low Density Residential”.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The zoning change will not pose a threat to the health, safety, or welfare of the residents within the area. It will add needed commercial parking options along North Saint Mary’s Street.

5. Public Policy:

The rezoning request does not appear to conflict with the land use goals and objectives of the Tobin Hill Neighborhood Plan and the Comprehensive Plan.

Tobin Hill Neighborhood Plan Objectives:

- 7.2: Parking - Ensure safety for pedestrians and cars by maximizing existing off-street parking facilities and providing new well-landscaped parking facilities and arrangements.
- 5.3.3 Support improved off-street parking design and shared parking programs between businesses and other institutions in the neighborhood.
- 7.2.2 Promote shared use of parking lots and garages for commercial land uses in order to provide

adequate parking for commercial districts.

- 7.2.3 Encourage Planning Area Businesses to incorporate landscape screens and pedestrian amenities into existing and new off-street parking facilities.

Goals and Policies of the Comprehensive Plan:

- 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.
- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
- H P30: Ensure infill development is compatible with existing neighborhoods.

6. Size of Tract:

The subject properties measure approximately 1.26 acres, which should reasonably accommodate a commercial parking lot.

7. Other Factors:

None.