



# City of San Antonio

## Agenda Memorandum

**File Number:** 17-6552

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**Agenda Item Number:** 16.

**Agenda Date:** 12/5/2017

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018011

(Associated Plan Amendment 18004)

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District, "I-1 AHOD" General Industrial Airport Hazard Overlay District and "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2017

**Case Manager:** Angela Cardona, Planner

**Property Owner:** New England Apartment Company LP

**Applicant:** New England Apartment Company LP

**Representative:** Patrick Christensen

**Location:** 3222 Howard Street, 3223 Howard Street and 234 Melrose Place

**Legal Description:** All of Block, NCB 8566, Lot 12 and Lot 13, Block 2, NCB 7302, All of Block, NCB 7301, 0.1345 acres out of NCB 7303

**Total Acreage:** 4.8817 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 68

**Registered Neighborhood Associations within 200 feet:** Monte Vista Terrace

**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property is within the original 36 square miles of the City and was zoned “B” Residential District, “J” Commercial District and “H” Local Retail District. Upon adoption of the Unified Development Code in 2001 (Ordinance 93881), the property zoned “B” converted to the current “R-4” Residential Single-Family District, the property zoned “J” converted to the current “I-1” General Industrial District and the property zoned “H” 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:** “R-4” and “I-1”

**Current Land Uses:** Single-Family Residential, Office /Warehouse and Retail/Grocery

**Direction:** South

**Current Base Zoning:** “R-4” and “MF-33”

**Current Land Uses:** Vacant Lot, Single -Family Residential, Multi-Family Residential

**Direction:** East

**Current Base Zoning:** “MF-33” and “C-3”

**Current Land Uses:** Apartments and Vacant Lot

**Direction:** West

**Current Base Zoning:** “I-1” and “MF-33”

**Current Land Uses:** Office Uses and Residential

**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.

### **Transportation**

**Thoroughfare:** Melrose Place

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Howard Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** Via route 5 and 204 are within walking distance of the subject property.

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

**Parking Information:** The “IDZ” Infill Development Zone District waives 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. The current “C-3” district is 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.

The “I-1” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

The “R-4” allows for a Single-Family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is within a half of a mile of San Pedro Avenue, a Premium Transit Corridor. The subject property is not within a Regional Center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 North Central Neighborhoods Community Plan, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “MF-33” is not consistent with the future land use designation. The applicant is requesting a Plan Amendment from “Low Density Residential” to “Medium Density Residential” in order to accommodate the established Multi-Family uses on the property. Staff recommends approval. Planning Commission recommendation pending the December 13, 2017 hearing.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request as the request would be a reflection of the existing uses on the property.

### **3. Suitability as Presently Zoned:**

The current “C-3”, “I-1” and “R-4” base zoning districts are not appropriate for the surrounding area. The adjacent properties are predominantly residential uses.

### **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 land use goals and strategies of the North Central Community Plan to discourage encroachment of businesses into existing residential neighborhoods.

Relevant and Consistent Goals and Policies of the SA Tomorrow Comprehensive Plan include:

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

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 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 5: High-density housing choices are available within the city’s 13 regional centers and along its arterial and transit corridors.

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

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

The subject property is 4.188 acres which reasonably accommodates uses in the requested “MF-33” base zoning district.

### **7. Other Factors:**

The rezoning request will bring the property into compliance to reflect the current use of the property and will provide a more cohesive overview of the residential uses in the area.