



# City of San Antonio

## Agenda Memorandum

**File Number:**18-5525

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**Agenda Item Number:** Z-15.

**Agenda Date:** 10/18/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018304

**SUMMARY:**

**Current Zoning:** "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, "C-3" General Commercial District, a Microbrewery, and Bar/Tavern with and without cover charge 3 or more days per week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 18, 2018

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** 231 E. Cevallos, LLC

**Applicant:** Kevin R. Chaney

**Representative:** Kevin R. Chaney

**Location:** Lots 9, 10, 22, and 23, Block 3, NCB 2567

**Legal Description:** 231 East Cevallos Street

**Total Acreage:** 0.367

**Notices Mailed**

**Owners of Property within 200 feet:** 23

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

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio, and was zoned “L” First Manufacturing District. Upon the adoption of the 2001 Unified Development Code, the previous “L” converted to the current “I-2”.

**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:** Cevallos Lofts, Parking Lot

**Direction:** East

**Current Base Zoning:** IDZ

**Current Land Uses:** Cevallos Lofts

**Direction:** South

**Current Base Zoning:** C-2P, IDZ, R-3, RM-4

**Current Land Uses:** Vacant Lots, Single-Family Residences, Snack Shop, Meat Purveyors, Paring Lot, Office Building

**Direction:** West

**Current Base Zoning:** I-2, IDZ

**Current Land Uses:** Commercial Warehouse, Vacant Lots, Parking 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.

**Transportation**

**Thoroughfare:** East Cevallos

**Existing Character:** Minor Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA routes 43, 44, and 243 are half a block west 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 base zoning district. The heavy industrial district allows uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The district was established in order to provide sites for activities which involve major transportation terminals and manufacturing facilities that have a greater impact on the surrounding area than industries found in the L or I-1 districts. Examples of permitted uses: acetylene gas manufacturing & storage, asphalt products manufacturing, boiler & tank works, chemical process clothing manufacturing, and grain drying & milling

**FISCAL IMPACT:**

None.

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

The subject property is within the Downtown Regional Center, and is 0.2 miles from the Rockport Subdivision Metro Premium Plus Route.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend 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 Lone Star Neighborhood Plan, and is currently designated as “High Density Mixed Use” in the future land use component of the plan. The requested “IDZ” Infill Development Zone base zoning district 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. The applicant proposes to construct a new structure for a restaurant. Allowing the change in zoning will downzone the Heavy Industrial zoning district, which is currently inappropriate next to multi-family and residential uses. “IDZ” is prevalent in this neighborhood to accommodate smaller lot sizes, and give flexibility.

**3. Suitability as Presently Zoned:**

The current “I-2” Heavy Industrial district is not appropriate for the subject property’s location. Heavy industrial next to residential is against best planning practices, due to the potential nuisance, and safety concerns.

**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 adopted future land use map classifies the subject properties, and surrounding properties, as “High Density Mixed Use.” The subject property is currently vacant and zoned “I-2” Heavy Industrial. A zoning change is requested in order to permit redevelopment as a neighborhood commercial center featuring retail and restaurant uses as well as professional services.

Relevant goals and policies of the SA Tomorrow Comprehensive Plan include:

- GCF Goal 1: Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.
- GCF Goal 2: Priority growth areas attract jobs and residents.
- 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 closer proximity to housing and where appropriate.
- GCF P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.
- GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
- GCF P31: Promote development that leverages and protects the public's investment in major green infrastructure and natural resources projects (e.g., the San Antonio River Improvements Project and other creek and trail restoration projects).
- H P30: Ensure infill development is compatible with existing neighborhoods.

The Lone Star Community Plan classifies the site as High Density Mixed Use in the future land use plan, described as a blend of residential, retail, professional services, entertainment, and other related uses, incorporating high quality design and active ground floors. The corresponding zoning districts include multi-family districts, "C-2" and "C-2 P" Commercial districts, as well as special districts such as TOD, MXD and IDZ with uses equivalent to the consistent conventional zoning districts. The Lone Star Plan also features a Physical Master Plan component which classifies mixed use properties into character areas based on context and location. The subject property is classified as a "Mixed Use Transition" area, described as follows:

*The Mixed-Use Transition Character Area includes development that transitions from the Urban Core or Neighborhood Core to adjoining neighborhoods with a range of retail, service, limited light industrial, and urban residential while reinforcing the existing character and transitioning to adjoining neighborhoods. While more urban development patterns are preferred, the Mixed-Use Transition accommodates lower intensity developments with surface parking.*

As the design of the proposed development progresses care should be given to ensure appropriate transitions to the surrounding, existing neighborhoods and buildings. Relevant goals and policies of the Lone Star Community Plan include:

- LU-3: Attract/ retain office, retail, and service uses through zoning and development incentives.
  - Strategy LU-3.1: Rezone to ensure a community-scale grocery store and neighborhood-scale retail and service businesses such as neighborhood dry cleaners, coffee shops, restaurants, pharmacies, bike shops, and fitness centers are permitted where appropriate. Utilize "special zoning districts" to reduce minimum off-street parking space requirements to facilitate the reuse of existing sites
- LU-5: Relax development code requirements that prevent or significantly increase the cost of improving and reusing existing commercial buildings along the major corridors and redeveloping vacant and underutilized parcels; provide fee waivers and utilize TIRZ funds to offset the costs of returning these properties to productive use.

Generally, the proposal is generally consistent with the SA Tomorrow Comprehensive plan which seeks to encourage infill development within regional centers such as Downtown. However, the proposal to permit "C-3" uses is not consistent with the recommendations of the Lone Star Community Plan. As "IDZ" is a special zoning district possessing no inherently permitted uses on its own, consistency with the adopted land use plan is contingent on the uses to be permitted by the proposed rezoning, in this case "C-3" uses. The High Density Mixed Use classification of the Lone Star Community Plan identifies consistent conventional commercial

districts “C-2” and “C-2 P” while the “C-3” district equivalent to the proposed rezoning is listed as corresponding to the Regional Commercial future land use classification.

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

The subject property totals 0.367 acres in size, which reasonably accommodates 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.

- The applicant’s request meets the Master Plan’s Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- The applicant’s request the Master Plan’s Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.