



# City of San Antonio

## Agenda Memorandum

**File Number:**19-6796

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**Agenda Item Number:** 15.

**Agenda Date:** 9/17/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700183

**SUMMARY:**

**Current Zoning:** "C-1 AHOD" Light Commercial Airport Hazard Overlay District

**Requested Zoning:** "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for 120 residential units and uses permitted in "C-2" Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2019

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Mitch Meyer

**Applicant:** Mitch Meyer

**Representative:** Brown and Oritz, P.C.

**Location:** 311 West Laurel Street

**Legal Description:** Lot 17, Block 25, NCB 366

**Total Acreage:** 0.3985 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 34

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

**Applicable Agencies:** Fort Sam Houston

### **Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned "E" Apartment District. The property was zoned from "E" to "B-1" Business District by Ordinance 83331 on December 14th, 1998. The subject property converted from "B-1" to "C-1" Light Commercial with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 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"

**Current Land Uses:** Multifamily

**Direction:** East

**Current Base Zoning:** "IDZ"

**Current Land Uses:** Multifamily

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Multifamily

**Direction:** South

**Current Base Zoning:** "C-1"

**Current Land Uses:** Healthcare Facility

### **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.

### **Transportation**

**Thoroughfare:** Laurel

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Lewis

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 3, 4, 5, 20, 90, 95, 96, 97, 204, 289, 296

**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:** The parking minimum for an apartment is 1.5 spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-1” Light Commercial.

**Current:** “C-1” districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 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 shall be permitted except for outdoor dining.

**Proposed:** The “IDZ-3” would allow both the construction of 120 residential units as well as Commercial usage, so long as they are described within the site plan. “C-2” Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**FISCAL IMPACT:**

None.

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

The property is located in the Midtown Regional Center and is within a premium transit corridor.

**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 subject property is located within the Midtown Regional Center Plan and is currently designated as “Regional Mixed Use” in the future land use component of the plan. The requested “IDZ-3” base zoning district is consistent with the adopted land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “C-1” zoning is an appropriate for the property and surrounding area.

The proposed “IDZ-3” Medium Intensity Infill Development Zone for 120 residential units and uses permitted in “C-2” Commercial is also an appropriate zoning for this property. It is located along the major San Pedro corridor, providing housing for both the Alamo College campus and major employment centers of Downtown and Midtown. Further, the Midtown Plan calls for Regional Mixed Use density, and calls for development of

small blocks, not just full block projects.

#### **4. Health, Safety and Welfare:**

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

#### **5. Public Policy:**

The subject property is located within the Midtown Regional Center Plan.

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Midtown Regional Center Plan:

##### **Goal 5: Broaden Housing Choices**

- Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.
- Focus most new housing development closer to multimodal transportation corridors.

##### **Goal 10: Pursue Transformative Projects**

- Elevate the Midtown Area's aesthetic appeal, stimulate economic growth, and meet local needs by transforming vacant properties and older buildings through reuse, redevelopment, or new development.

##### **Goal 11: Grow Unique Destinations**

- Support other corridors (such as Fredericksburg Road, San Pedro Avenue and McCullough Avenue) in building on their best qualities.

#### **"IDZ"**

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 Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The applicant's request the Master Plan's Policy for Neighborhoods - Policy 2b, because it creates mixed-use districts.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.

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

The subject property is 0.3985 acres, which could reasonably accommodate multifamily and commercial uses.

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

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

If this zoning request includes the intention to demolish buildings, in accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. On April 24, 2019, the Office of Historic Preservation approved demolition for the main structure.