City of San Antonio

Agenda Memorandum

File Number:19-7162

Agenda Item Number: 11.

Agenda Date: 10/1/2019

In Control: Zoning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:
Zoning Case Z-2019-10700190

SUMMARY:
Current Zoning: "C-3NA RIO-7D AHOD" General Commercial, Nonalcoholic Sales River Improvement Overlay Airport Hazard Overlay District

Requested Zoning: "C-3NA AHOD" General Commercial, Nonalcoholic Sales Airport Hazard Overlay District

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: October 1, 2019

Case Manager: Lorianne Thennes, Planner

Property Owner: 901 Laredo Partners, LLC

Applicant: GRGTX Lobbying LLC

Representative: Mitsuko Ramos

Location: 915 South Laredo Street

Legal Description: 0.019 acres out of NCB 310

Total Acreage: 0.019 acres

Notices Mailed
Owners of Property within 200 feet: 10
Registered Neighborhood Associations within 200 feet: Lakeside Neighborhood Association

Applicable Agencies: Texas Department of Transportation, Martindale Army Airfield, 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 "B-3NA" by Ordinance 74924 in December 1991. The current "C-3NA" base zoning district resulted from the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 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: "C-3NA" and "C-2"
Current Land Uses: Storage warehouse and hotel

Direction: South
Current Base Zoning: "C-3NA" and "C-2 CD"
Current Land Uses: Hotel and animal care service

Direction: East
Current Base Zoning: "C-3NA" and "I-1 S"
Current Land Uses: Warehouses

Direction: West
Current Base Zoning: "UZROW"
Current Land Uses: Interstate

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.

"RIO-7D"
Overlay districts that impose additional height, design and use regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines for properties located near the river.

Transportation

Thoroughfare: Laredo Street
Existing Character: Collector
Proposed Changes: None

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

Routes: 11, 43, 44, 46, 62, 67, 243, 246, 251, 275

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

Guadalupe is identified on the City's Major Thoroughfare Plan as a Secondary Arterial Type B (70'-86' Row). Row dedication may be required. IH-35 is a TX DOT ROW. TX DOT review of ROW and access is required.

Parking Information: The parking requirement for a clinic is 1 space per 400 square feet gross floor area.

ISSUE: None.

ALTERNATIVES:
Current: C-3 districts are 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. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

Proposed: C-3 districts are 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. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The property is within a regional center and within a premium transit corridor.

RECOMMENDATION: Staff recommends Denial.

On September 18, 2019, The Historic Design & Review Commission denied the request to remove the RIO-7D designation.

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 Lone Star Community Plan and is currently designated as "High Density Mixed Use" in the future land use component of the plan. The requested "C-3" base zoning district is consistent with the future land use designation.

2. Adverse Impacts on Neighboring Lands:
Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

The “RIO” River Improvement Overlay is in place to maintain design principles for properties near the river. An important feature of the River Improvement Overlay is limitation of structure height and signage regulations.

3. Suitability as Presently Zoned:
The current “C-3NA RIO-7D AHOD” General Commercial Nonalcoholic Sales River Improvement Overlay Airport Hazard Overlay District is an appropriate zoning for the property and surrounding area. The applicant seeks to remove a portion of the property from the “RIO” River Improvement Overlay, in order to install a pole sign. Per UDC Section 35-678(k) installation of a pole/pylon signs is prohibited within the “RIO.”

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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Lone Star Community Plan.

LU-2: Incorporate site and building design principles including attractive and functional streetscapes, inviting public spaces, creative design and material selection, sustainable development techniques, and a mix of uses into new development and redevelopment projects.
CF-7: Improve San Pedro Creek by restoring the creek ecosystem and adding recreational amenities such as hike and bike trails.

The proposed rezoning does conflict with the “RIO” design and signage requirements.

6. Size of Tract:
The subject property is 0.019 acres, although the property could reasonably accommodate an on-premise pole sign, it is not allowed in the River Improvement Overlay.

7. Other Factors:
The subject property is located within the Martindale Army Airfield Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

OHP FINDINGS:
a. The applicant is requesting to remove the River Improvement Overlay 7D (RIO-7D) overlay from an eight hundred thirteen(813) square foot section of the lot located at 915 S Laredo, adjacent to IH-35. The applicant is requesting to remove the River Improvement Overlay to allow for the installation of a pole/pylon sign to advertise to IH-35.
b. ALLOWED SIGNAGE - The UDC Section 35-678(d) notes that signage width and height must be in proportion to the façade of the structure, respecting the size, scale and mass of the façade, building height, and rhythms and sizes of windows and door openings. The UDC Section 35-678(e)(1) notes that total signage for all applications should not exceed fifty (50) square feet. Additionally, the UDC Section 35-678(e)(4) notes that freestanding signage should not exceed more than six (6) feet in height.
c. PROHIBITED SIGNAGE - The UDC Section 35-678(k) notes that pole-mounted cabinet signs and digital displays are prohibited from being installed within the River Improvement Overlay.
d. Staff finds that the applicant has not provided evidence regarding how the proposal aligns with the design objectives outlined for RIO-7. Staff finds that the removal of RIO would undermine the objectives of the RIO-7 zoning overlay.

Office of Historic Preservation Staff does not recommend the removal of the River Improvement Overlay 7D

from the noted 813 square feet portion of this lot. Staff finds that the removal of this overlay and the subsequent installation of a pole/pylon sign would be inconsistent with previously approved zoning ordinances and would undermine the objectives of the RIO-7 zoning overlay.

On September 18, 2019, the Historic & Design Review Commission heard the applicant's request to remove the overlay from an eight hundred thirteen (813) square foot section of the lot located at 915 South Laredo Street, adjacent to IH-35, to allow for the installation of a pole/pylon sign to advertise to IH-35. The Historic & Design Review Commission denied the request of the removal of the historic designation overlay.