



City of San Antonio

Agenda Memorandum

File Number: 14-1282

Agenda Item Number: Z-3.

Agenda Date: 6/19/2014

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Council District 1

SUBJECT:

Zoning Case Z2014161

SUMMARY:

Current Zoning: "C-3R H AHOD" General Commercial Restrictive Alcoholic Sales Lavaca Historic Airport Hazard Overlay District and "C-3R H HS AHOD" Historic Significant General Commercial Restrictive Alcoholic Sales Lavaca Historic Airport Hazard Overlay District

Requested Zoning: "IDZ H AHOD" Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, a Bar, and a Party House/Reception Hall/Meeting Facility and "IDZ H HS AHOD" Historic Significant Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, a Bar, and a Party House/Reception Hall/Meeting Facility

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 20, 2014

Case Manager: Brenda V. Martinez, Planner

Property Owner: Sendero Ranch Development, Ltd

Applicant: Crockett Urban Ventures, LLC (by Patrick Shearer, Manager)

Representative: Patrick Shearer

Location: A portion of the 700 Block of South St. Mary's Street and the 500 Block of South Presa Street.

Legal Description: Lots 22, 23, 24, 25 and the south 22 feet of Lot 26, Block 4, NCB 902

Total Acreage: 0.88

Notices Mailed

Owners of Property within 200 feet: 35

Registered Neighborhood Associations within 200 feet: Lavaca Neighborhood Association; the King William Association is located within 200 feet.

Planning Team: Lavaca Neighborhood Plan - 12

Applicable Agencies: Office of Historic Preservation

Property Details

Property History: The property is located within the City Limits as they were recognized in 1938, and was originally zoned under the 1938 zoning code. In a 1991 large area rezoning case, the property was rezoned to "B-3R" Restrictive Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3R" General Commercial Restrictive Alcohol Sales District.

The subject property is currently developed with multiple structures. According to the Bexar County Appraisal District, a 1,732 square foot commercial structure was constructed in 1939. The property also has two commercial structures measuring 4,571 square feet and 1,496 square feet that were both built in 1950. Another 2,042 square foot commercial structure was built in 1962.

Topography: The property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North, South and East

Current Base Zoning: "C-3"

Current Land Uses: Retail Center, Health Center, Parking Lot, Apartments, Art Glass Gallery, Restaurant, Bar, Vacant Land, Tire & Auto Repair, Car Rentals, Office and a Motel

Direction: West

Current Base Zoning: "C-2" and "MF-33"

Current Land Uses: Retail Center, Office, Two-Family Dwellings, Vacant Single-Family Residence, Vacant Two-Family Dwelling, and a Bed & Breakfast

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.

The majority of surrounding properties are located in the Lavaca Historic District. Historic districts do not regulate use of the property, but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. 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.

Transportation

Thoroughfare: South St. Mary's

Existing Character: Secondary Arterial Type B Street; 2 lanes in each direction

Proposed Changes: None known

Thoroughfare: South Presa Street

Existing Character: Secondary Arterial Type B Street; 1 lane in each direction

Proposed Changes: None known

Public Transit: The nearest VIA bus lines are the 34, 42 and 242 lines, which operate along South St. Mary's Street and Madison Street.

Traffic Impact: The Traffic Impact Analysis has been waived for the following reason: IDZ is exempt from TIA requirements.

Parking Information: Off-street vehicle parking requirements are typically determined by type of use and building size. The Traffic Impact Analysis refers to restaurant, bar, and a party house/reception hall/meeting facility uses.

Food - Restaurant or Cafeteria - Minimum Parking Requirement: 1 space per 100 square feet of Gross Floor Area (GFA). Maximum Parking Requirement: 1 space per 40 square feet of GFA.

Alcohol - bar/tavern - Minimum Requirement: 1 space per 100 square feet of Gross Square Footage (GSF). Maximum Allowance: 1 space per 75 square feet of GSF. Parking requirements for a bar/tavern are determined by the building area gross square footage, which includes accessory uses such as offices, kitchens, restrooms, storage areas, mechanical and dressing rooms.

The UDC does not list parking requirements specifically for party house/reception hall/meeting facility. The closest listing similar would either be Dance Hall (Minimum: 1 per 2 seats; Maximum: 1 per 1.5 seats) or Clubhouse - Private including Lodges and Meeting Halls (Minimum: 1 per 3 persons; Maximum: N/A).

The "IDZ" Infill Development Zone District eliminates off-street parking requirements.

ISSUE:

None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the current "C-3R" base zoning district which is inconsistent with the adopted future land use plan and does not allow a restaurant with alcohol sales.

FISCAL IMPACT:

None. The zoning request is eligible for the Inner City Reinvestment Infill Policy fee waiver. The Development Services Department fees will be reimbursed through grant funding.

RECOMMENDATION:

Staff and Zoning Commission (7-0) recommend 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 Lavaca Neighborhood Plan area, and is identified as Mixed Use in the Future Land Use component of the Plan. The requested "IDZ" base zoning district is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The “IDZ” zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. Further, the “IDZ” district includes design criteria intended to create infill development that is proportional to surrounding development.

The site is located in an area with a mix of commercial, office, single-family, two-family dwellings and multi-family dwellings with access to South St. Mary’s Street and South Presa Street, which are both major arterial thoroughfares.

3. Suitability as Presently Zoned:

The current “C-3” base zoning district is not consistent with the adopted future land use designation of the plan; however, it is consistent with the surrounding zoning and development pattern.

4. Health, Safety and Welfare:

Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning request. The “IDZ” district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

5. Public Policy:

The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

6. Size of Tract:

The subject property is 0.88 acres and appears to be of sufficient size to accommodate the proposed uses with the flexibility offered by the “IDZ” district.

7. Other Factors:

The zoning change request is meant to bring the existing uses into compliance. At this time, no new construction or change of use is planned.