



# City of San Antonio

## Agenda Memorandum

**File Number:**20-2479

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**Agenda Item Number:** Z-1.

**Agenda Date:** 3/19/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2020-10700029 CD

**SUMMARY:**

**Current Zoning:** “I-1 General Industrial District, “C-2” Commercial District, “MF-33” Multi-Family District, (all overlay districts of “RIO-1” River Improvement Overlay District, “H” River Road Historic Overlay District, “AHOD” Airport Hazard Overlay District remain unchanged)

**Requested Zoning:** “O-1” Office District, “C-1” Light Commercial District, “C-1 CD” Light Commercial District with a Conditional Use for a Gas Station, “NC” Neighborhood Commercial District, “C-1 CD” Light Commercial District with a Conditional Use for a Car Wash, “R-4 CD” Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot, “R-4 CD” Residential Single-Family District with a Conditional Use for an Apparel & Accessory Store, “R-3” Residential Single-Family District, and “R-4” Residential Single-Family District, (all overlay districts of “RIO-1” River Improvement Overlay District, “H” River Road Historic Overlay District, “AHOD” Airport Hazard Overlay District remain unchanged)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 18, 2020

**Case Manager:** Juanita Romero, Senior Planner

**Property Owner:** Multiple Owners

**Applicant:** City of San Antonio

**Representative:** City of San Antonio

**Location:** Generally bounded by East Magnolia Avenue to the South, and parcels along the East side of North Saint Mary’s Street.

**Legal Description:** 4.047 acres out of NCB A-52, NCB 2806, NCB 6077, NCB 6078, NCB 6391, and NCB 6939.

**Total Acreage:** 4.047

**Notices Mailed**

**Owners of Property within 200 feet:** 55

**Registered Neighborhood Associations within 200 feet:** River Road Neighborhood Association

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The properties were annexed on August 3, 1944 (Ordinance number 1258) and zoned "J" Industrial/Commercial District, "F" Local Retail District and "C" Apartment District. Adoption of 2001 UDC converted all 1938 & 1965 zoning districts from "J" Industrial/Commercial to "I-1" Industrial; "F" Local Retail to "C-2" Commercial; "C" Apartment to "MF-33" Multi-Family.

**Topography:** The subject 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"

**Current Land Uses:** Brackenridge Park

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-family dwelling

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-family dwelling

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Commercial

**Overlay and Special District Information:**

"RIO"

All surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

"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.

"H"

The surrounding properties are located in the River Road Historic District, which was adopted in 2010. 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:** N. St. Mary's

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** N. St. Mary's

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 11 and 8

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. This is a city initiated request rezoning that does not require a TIA.

**Parking Information:** Parking requirements are based on use of the property.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** Properties could maintain their current zoning of "I-1" The existing 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.

"C-2" The present zoning district designation of "C-2" Commercial district accommodates 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.

"MF-33" zoning district designation Multi-family dwelling, single family dwelling (detached, attached or townhouse), two-family dwelling, three -family dwelling, four-family dwelling, row-house or zero lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**Proposed:** "O-1" Small and medium office uses, banks, worship facilities, public and private school, employment agency, library, medical clinic, optician, interior decorator studio. Maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited.

"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.

“R-3” Single-family dwelling with a minimum lot size of 3,000 square feet for R-3, 2,000 square feet for R-2 and 1,250 square feet for R-1 and a minimum lot width of 20 feet, designed to provide options for developing dwelling units for specialized housing markets such as affordable housing, starter homes, and empty nester homes.

“R-4” 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.

“CD” A conditional zoning district, bearing the designation “CD” allows base zoning to remain less intense with one additional use conditional use for, Non-Commercial Parking Lot, Car Wash, Gas Station, Apparel & Accessory Store

#### **FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center nor is it located within the Premium Transit Corridor.

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission (10-0) recommends Approval of an Alternate Recommendation, excluding the property known as Bombay Bicycle Club.

**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 River Road Neighborhood Plan and is currently designated as “Low and Medium Density Residential”, “Neighborhood Commercial”, and “Office” in the future land use component of the plan. The requested “R-3” Residential Single-Family District, “R-4” Residential Single-family District, “NC” Neighborhood Commercial, and “O-1” Office, are consistent with the future 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. The requested change would limit potential impacts of the existing “I-1” General Industrial District on the neighboring properties.

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

A majority of the area is suitable as presently zoned “MF-33” Multi-family, as “MF-33” allows single-family uses. The current zoning of “O-2” Office, “I-1” and “C-2” is too intense directly adjacent to residential.

##### **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 River Road Neighborhood Plan

**6. Size of Tract:**

The subject area is 4.047 acres, which could reasonably accommodate the requested uses.

**7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

This is a city initiated large area rezoning as a result of a Council Resolution. An informational Community Meeting was held on January 27, 2020 for owners impacted by the large area rezoning. Staff presented the area being rezoned, the history of the area, the proposed zoning categories and the timeline to complete the rezoning process.