



City of San Antonio

Agenda Memorandum

File Number:21-4270

Agenda Item Number: 10.

Agenda Date: 6/15/2021

In Control: Zoning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:

Zoning Case Z-2021-10700107

SUMMARY:

Current Zoning: "C-3 H AHOD" General Commercial Lavaca Historic Airport Hazard Overlay District

Requested Zoning: "IDZ-1 H AHOD" Limited Intensity Infill Development Zone Lavaca Historic Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: June 15, 2021

Case Manager: Justin Malone, Planner

Property Owner: Carlos Mercado

Applicant: Luis Rene Fernandez

Representative: Luis Rene Fernandez

Location: 328 Martinez Street

Legal Description: 0.120 acres out of NCB 903

Total Acreage: 0.120

Notices Mailed

Owners of Property within 200 feet: 16

Registered Neighborhood Associations within 200 feet: Lavaca Historic Neighborhood Association, Downtown Residents Association

Applicable Agencies: Office of Historic Preservation

Property Details

Property History: The subject property is located within the original 36 miles of the city of San Antonio and was originally zoned "I" Business District. The subject property was rezoned by Ordinance 79329, dated December 16, 1993 to "B-3" Business District. Under the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the portion of the property zoned "B-3" Business District converted to "C-3" General Commercial District.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-3R"

Current Land Uses: Parking Lot

Direction: East

Current Base Zoning: "O-2", "C-2 IDZ"

Current Land Uses: Parking Lot, Restaurant

Direction: South

Current Base Zoning: "C-3", "C-3R"

Current Land Uses: Parking Lot

Direction: West

Current Base Zoning: "C-3R"

Current Land Uses: Law Firm, Bar

Overlay and Special District Information:

"H"

The surrounding properties are located in the Dignowity Hill Historic District, which was adopted in the 1840's. 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.

"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: Martinez Street

Existing Character: Local

Proposed Changes: None known

Thoroughfare: South Alamo Street

Existing Character: Local

Proposed Changes: None known

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

Routes Served: 6, 26, 30, 32, 36, 225 230, 232

Traffic Impact: A Traffic Impact Analysis (TIA) is not required.

Parking Information: The parking requirement for “IDZ-1” is waived.

ISSUE:

None.

ALTERNATIVES:

Current: The current zoning district designation of “C-3” 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 include bar/tavern, auto repair, hotel, or home improvement center. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

Proposed: The proposed zoning district designation of “IDZ-1” Limited Density Infill Development Zone allows rezoning requests up to 18 units per acre and uses permitted in “C-1”. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is within a 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 Downtown Area Regional Center Plan and is currently designated as “Urban Mixed Use” in the land use component of the plan. The requested “IDZ-1” base zoning district is consistent with the adopted land use designation.

2. Adverse Impacts on Neighboring Lands:

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area.

3. Suitability as Presently Zoned:

The existing “C-3” base zoning district is appropriate for the surrounding area. The proposed “IDZ-1” is also appropriate and achieves the plan’s goal of expanding neighborhood businesses in the Downtown Area Regional Center Plan. The site is located on Martinez Street, one block south from Caesar Chavez Street. The proposed zoning change is requested to allow for the adaptive reuse of an existing vacant building to allow for a restaurant. One other purpose of the proposed “IDZ-1” is to alleviate the minimum parking requirements for a restaurant.

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 request does not appear to conflict with any public policy objective of the Downtown Area Regional Center Plan which encourages the following:

Goal 1: Preserve and Enhance Downtown's Authenticity

- Grow and evolve in meaningful ways that encourage attachment between people and places;
- Respect historic and culturally significant places, including significant examples of more contemporary and modern architecture;
- Encourage adaptive reuse

Goal 4: Diversify the Mix of Uses in the Downtown Core

- Encourage new and renovated buildings to incorporate a mix of uses;
- Encourage the development of vacant lots in the city center with a geographically balanced mix of uses;
- Cultivate entrepreneurship, small business, and innovation;
- Attract additional housing and a diversity of employment options in the Downtown core; and
- Create complete neighborhoods by providing residents with safe and convenient access to daily activities, goods, and services.

6. Size of Tract:

The 0.120-acre site is of sufficient size to accommodate the proposed use of a restaurant.

7. Other Factors:

"IDZ-1" holds the applicant to the submitted site plan for the proposed uses in "C-1".

This property is in the Lavaca Historic District. Any proposed exterior alterations and signage associated with the proposal will require approval from the Office of Historic Preservation. Approval of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. On March 17, 2021, the Historic and Design Review Commission approved some exterior modifications.