



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-6476

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/5/2019

**Title:** ZONING CASE Z-2019-10700155 (Council District 2): Ordinance amending the Zoning District Boundary from "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District to "IDZ-1 AHOD" Limited Density Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) dwelling units on Lots 28, 29 and the west 7.5 feet of Lot 30, Block 4, NCB 600, located at 603 and 607 Montana Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Ground Plan Comparison, 4. Zoning Minutes, 5. Draft Ordinance

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700155

**SUMMARY:**

**Current Zoning:** "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 AHOD" Limited Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 20, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Megan Amitrano

**Applicant:** Megan Amitrano

**Representative:** Megan Amitrano

**Location:** 603 and 607 Montana Street

**Legal Description:** Lots 28, 29 and the west 7.5 feet of Lot 30, Block 4, NCB 600

**Total Acreage:** 0.222

**Notices Mailed**

**Owners of Property within 200 feet:** 38

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "D" Apartment District. The property was rezoned by Ordinance 79329, dated December 16, 1993 from "D" Apartment District to "R-2" Two Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "R-2" Two Family Residence District converted to "RM-4" Residential Mixed District. The property was rezoned by Ordinance 2008-12-04-1128, dated December 4, 2008 from "RM-4" Residential Mixed District to the current "AE-2" Arts and Entertainment District.

**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:** "AE-2"

**Current Land Uses:** Residential

**Direction:** South

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

**Current Land Uses:** Residential

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** West

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

**Current Land Uses:** Residential

**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:** Montana Street

**Existing Character:** Collector

**Proposed Changes:** None Known

**Thoroughfare:** South Olive Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 25, 225

**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 minimum parking requirement for a 3 family cluster 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 "AE-2". The arts and entertainment special zoning districts are designed to support existing arts and entertainment venues and promote the creation of additional venues and supporting uses. These special zoning districts are appropriate where existing arts and entertainment venues are adjacent to areas with high building and lot vacancy rates where infill development and redevelopment is desired. By creating a distinct area for arts and entertainment venues and supporting uses, this zoning district allows a community to capitalize on nearby venues and draw visitors into the community. The arts and entertainment districts facilitate infill development and redevelopment by creating a consistent pattern of zoning, creating certainty about the form and function of future development and creating an identity that may be utilized to attract investment. The AE-2 district accommodates smaller scale arts and entertainment venues and supporting uses. This district supports infill development and the redevelopment of parcels along existing arterials where lot and building vacancies are prevalent, but where nearby arts and entertainment venues bring people to the general area. The primary goal of this district is to create space, in many cases within existing structures, for local artists to live, work, display and sell their artwork. Artists that locate within this district will benefit from the draw of other artists and the collective energy of the area. Corner lots may be utilized for neighborhood based commercial uses including cafes, bakeries, convenience stores and barber/beauty shops. This district is designed to harmoniously co-exist with adjacent single-family residential neighborhoods.

The requested "IDZ-1" districts provide flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. "IDZ-1" shall be limited to no more than eighteen (18) dwelling units per acre. "IDZ-1" shall be limited to commercial uses consistent with the "NC" Neighborhood Commercial District or the "C-1" Light Commercial District. "IDZ-1" shall also be limited to office uses consistent with the "O-1" Light Office District. "IDZ-1" shall not permit any industrial uses.

**FISCAL IMPACT:**

None.

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

The subject property is not within the a Regional Center and located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 Downtown Neighborhood Plan and is currently designated as “Residential” in the future land use component of the plan. The requested “IDZ-1” base zoning district is 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.

**3. Suitability as Presently Zoned:**

The current “AE-2” Arts and Entertainment District is an appropriate zoning for the property and surrounding area.

**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 Downtown Neighborhood Plan:

Create urban neighborhoods and increase the number of residents living downtown.

Geographically balance businesses, entertainment, community facilities, arts, culture and residential projects to enhance downtown’s urban character.

**6. Size of Tract:**

The subject property is 0.222 acres, which could reasonably accommodate three residential uses.

**7. Other Factors:**

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 the Master Plan’s Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 1d, because it develops criteria and procedures for infill development which will enhance the character of neighborhoods.

