



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-3631

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/18/2020

**Title:** ZONING CASE Z-2020-10700064 (Council District 2) Ordinance amending the Zoning District Boundary from "AE-1 MLOD-3 MLR-2 AHOD" Arts and Entertainment Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 MLOD-3 MLR-2 AHOD" Medium Intensity Infill Development Zone Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and for a Hotel on Lots 31 and Lot 32, Block 7, NCB 1440, located at 2203 East Commerce Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Draft Ordinance, 4. Zoning Minutes, 5. Ordinance 2020-06-18-0435

Date	Ver.	Action By	Action	Result
6/18/2020	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:** Zoning Case Z2020-10700064

**SUMMARY:**

**Current Zoning:** "AE-1 MLOD-3 MLR-2 AHOD" Arts and Entertainment Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "R-4 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "IDZ-2 MLOD-3 MLR-2 AHOD" Medium Intensity Infill Development Zone Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and for a Hotel

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 19, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Vasanti, LLC

**Applicant:** Vasanti, LLC

**Representative:** Patrick Christensen

**Location:** 2203 East Commerce Street

**Legal Description:** Lots 31 and Lot 32, Block 7, NCB 1440

**Total Acreage:** 1.278 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 34

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

**Applicable Agencies:** Martindale Army Airfield

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned "J" Commercial District and "B" Business District. The previous "J" district converted to "I-1" General Industrial and the previous "B" district converted to "R-4" Single-Family Residential District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was then rezoned to "AE-1" Arts and Entertainment District and "AE-1 S" Arts and Entertainment District with a Specific Use Authorization for a Motel by Ordinance 2008-12-04-1128, dated December 4, 2008.

**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:** "I-1"

**Current Land Uses:** Single-family dwellings, auto shop

**Direction:** East

**Current Base Zoning:** "R-4," "AE-1," and "IDZ S"

**Current Land Uses:** Single-family dwelling, Alamo City Beer Bike

**Direction:** South

**Current Base Zoning:** "AE-1," "AE-1 S," "C-3R," and "R-4"

**Current Land Uses:** Law firm, vacant office building, motel, beauty salon

**Direction:** West

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

**Current Land Uses:** Cemetery

**Overlay and Special District Information:**

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

"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:** East Commerce Street

**Existing Character:** Primary Arterial B

**Proposed Changes:** None

**Thoroughfare:** Belmont Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes:** 20, 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 hotel is 0.8 space per room plus 1 space per 800 square feet of public meeting area and restaurant space. "IDZ-2" Medium Intensity Infill Development reduces parking by 50%.

**ISSUE:** None.

### **ALTERNATIVES:**

**Current:** The current "AE-1" Arts and Entertainment District is designed to support existing arts and entertainment venues and promote the creation of additional venues and supporting uses. This special zoning district is 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 arts and entertainment districts include four (4) unique districts designed to accommodate a range of existing conditions and desired outcomes. All of the arts and entertainment districts require quality building design and materials and a pedestrian-oriented, mixed-use environment.

The current "R-4" Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed “IDZ-2” Medium Intensity Infill Development Zone District provides 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. Pedestrian circulation is required as are common parking areas. "IDZ-2" shall be limited to no more than fifty (50) dwelling units per acre. "IDZ-2" shall be limited to commercial uses consistent with the "NC" Neighborhood Commercial, "C-1" Light Commercial, or "C-2" Commercial District. "IDZ-2" shall be limited to office uses consistent with the "O-1" Light Office District or the "O-1.5" Mid-Rise Office District.

**FISCAL IMPACT:** None

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

The property is not within a regional center but is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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 Arena District Community Plan and is currently designated as “Mixed Use.” The requested “IDZ-2” 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-1 MLOD-3 MLR-2 AHOD" Arts and Entertainment Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and “R-4 MLOD-3 MLR-2 AHOD” Residential Single-Family Martindale Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District are appropriate zonings for the property and surrounding area. However, the proposed “IDZ-2” will allow more flexibility in development and continuity of zoning uses as “C-2” Commercial and a Hotel. The submitted site plan holds the applicant to the site design and uses. The maximum building height when abutting single family zoning of “R-4” or single family uses is 35 feet/ 2 ½ stories, for the first 50 feet from the property line.

**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 Arena District Community Plan:

Goal 2.1- Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations

Goal 4.4- Develop mixed uses along New Braunfels to supplement existing commercial core at Commerce and New Braunfels

“Develop commercial / retail nodes that are adjacent and convenient to residential neighborhoods.”

"IDZ"

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 meets the Master Plan’s Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- 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 4b, because it incentivizes property to encourage development in underutilized urban areas.

**6. Size of Tract:**

The subject property is 1.278 acres, which could reasonably accommodate a hotel and “C-2” uses.

**7. Other Factors:**

The subject property is located within the Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBASA was notified of the proposed request.