



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-2926

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 5/6/2021

**Title:** ZONING CASE Z-2021-10700002 (Council District 5): Ordinance amending the Zoning District Boundary from "IDZ MLOD-2 MLR-2 AHOD" Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District to "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Tattoo Parlor/Studio on Lot A2, NCB 2828, located at 1913 South Flores Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2021-05-06-0317

Date	Ver.	Action By	Action	Result
5/6/2021	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:** Z-2021-10700002

**SUMMARY:**

**Current Zoning:** "IDZ MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District

**Requested Zoning:** "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Tattoo Parlor/Studio

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 6, 2021. This case is continued from the March 16, 2021 hearing.

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Sergio Martinez

**Applicant:** Seralser Management LLC

**Representative:** Branden Ray Lopez

**Location:** 1913 South Flores Street

**Legal Description:** Lot A2, NCB 2828

**Total Acreage:** 0.4289

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** Lone Star Neighborhood Association and Collins Garden Neighborhood Association

**Applicable Agencies:** Lackland

**Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned "J" Commercial District. The subject property converted from "J" Commercial District to "I-1" General Industrial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001. The property was then rezoned from "I-1" General Industrial District to "IDZ" Infill Development Zone District with uses permitted in "C-2" Commercial District by Ordinance 2018-01-18-0055 dated Jan 18, 2018.

**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:** Vacant Building

**Direction:** East

**Current Base Zoning:** "I-1"

**Current Land Uses:** Art Studio

**Direction:** West

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

**Current Land Uses:** Vacant Property

**Direction:** South

**Current Base Zoning:** "I-1"

**Current Land Uses:** School

**Overlay and Special District Information:**

"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.

**"MLOD-2"**

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-2" 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:** South Flores Street

**Existing Character:** Local

**Proposed Changes:** Secondary Arterial Type B

**Thoroughfare:** Cassiano Street

**Existing Character:** Collector

**Proposed Changes:** Local

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

**Route Served:** 43, 44, and 243

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The parking requirement for "IDZ-2" is waived by 50 percent.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** "IDZ-2" shall be limited to no more than fifty (50) dwelling units per acre, and 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. "IDZ-2" shall not permit any industrial uses.

**Proposed:** "IDZ-2" shall be limited to no more than fifty (50) dwelling units per acre, and 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. "IDZ-2" shall not permit any industrial uses.

The proposed zoning change will allow all "C-2" uses in addition to a Tattoo Parlor.

**FISCAL IMPACT:**

None.

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

The property is not located within a region center and is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 Lone Star Community Plan and is designated as “Low Density Mixed Use” in the future land use plan. The requested “IDZ-2” base zoning district is consistent with the future land use designation and the development pattern of the surrounding area.

**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 uses proposed as part of the “IDZ-2” zoning are “C-2” Commercial District and a Tattoo Parlor which are consistent with the surrounding districts of “IDZ” and “C-2” to the north and south of the subject property.

**3. Suitability as Presently Zoned:**

The existing “IDZ-2” Medium Intensity Infill Development Zone zoning is appropriate for the surrounding area as the subject property is surrounded by industrial and commercial uses. The proposed “IDZ-2” with “C-2” uses and a Tattoo Parlor is also appropriate for the property and provides the opportunity for additional commercial development.

**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 Lone Star Community Plan:

- LU-1: Establish performance standards for industrial uses. Phase out industrial uses that do not comply with performance standards with a combination of zoning changes and relocation assistance.
- LU-2: Incorporate site and building design principles including attractive and functional streetscapes, inviting public spaces, creative design and material selection, sustainable development techniques, and a mix of uses into new development and redevelopment projects.

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 meets the Master Plan's Policy for Economic Development - Goal 4, because it targets an area within Loop 410.
- 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 meets the Master Plan's Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- 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.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 1e, because it allows zero setbacks for commercial and multi-family developments.
- 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 0.4289 acres, which could reasonably accommodate commercial uses.

#### **7. Other Factors:**

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to the request.