



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-7487

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 10/17/2019

**Title:** ZONING CASE Z-2019-10700210 (Council District 2): Ordinance amending the Zoning District Boundary from "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted in "NC" Neighborhood Commercial District and "RM-6" Residential Mixed District to "IDZ-2 H AHOD" Medium Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "RM-6" Residential Mixed District and for a Tattoo Parlor and Bar/Tavern on Lot 1 and Lot 2, Block J, NCB 1666, located at 910 Nolan 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
10/17/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

ZONING CASE Z-2019-10700210

**SUMMARY:**

**Current Zoning:** "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted in "NC" Neighborhood Commercial District and "RM-6" Residential Mixed District

**Requested Zoning:** "IDZ-2 H AHOD" Medium Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, "RM-6" Residential Mixed District, and for a Tattoo Parlor and Bar/Tavern

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 1, 2019

**Case Manager:** Dominic Silva, Senior Planner

**Property Owner:** Alexander Perez

**Applicant:** Alexander Perez

**Representative:** Alexander Perez

**Location:** 910 Nolan Street

**Legal Description:** Lot 1 and Lot 2, Block J, NCB 1666

**Total Acreage:** 0.4291

**Notices Mailed**

**Owners of Property within 200 feet:** 36

**Registered Neighborhood Associations within 200 feet:** Dignowity Hill Neighborhood Association

**Applicable Agencies:** Fort Sam Houston

**Property Details**

**Property History:** The subject properties were included in the original 36 square miles of the City of San Antonio and were zoned "B-3" Business District. The property converted to "C-3" General Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001. The subject property was then rezoned to "IDZ" by Ordinance 2012-12-06-0953, dated December 6, 2012.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "IDZ"

**Current Land Uses:** Commercial

**Direction:** East

**Current Base Zoning:** "R-5"

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** "R-5"

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "IDZ"

**Current Land Uses:** Multifamily

**Overlay and Special District Information:**

"H"

The surrounding properties are located in the Dignowity Hill Historic District, which was adopted in December 8, 1983. 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:** Nolan Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes served: 22, 222

**Thoroughfare:** North Pine Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes served: 22, 222

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

**Parking Information:**

Bar/Tavern: 1 per 100 sf of GSF

Tattoo Parlor: 1 per 300 sf GFA

Residential: 1 space per unit

Professional Office: 1 per 300 sf GFA

Parking in "IDZ-2" may be reduced by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "IDZ" Infill Development Zone 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; to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas; and, to provide a more flexible approach to design and development of infill projects

**Proposed:** The proposed "IDZ-2" with uses permitted in "C-2" Commercial District and "RM-6" Residential Mixed District and uses permitted for a Tattoo Parlor and Bar/Tavern allows all the above with additional uses for a Tattoo Parlor and Bar/Tavern.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is located within ½ a mile of the Downtown Regional Center and 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 property is located within the Dignowity Hill Neighborhood Plan, and is currently designated as “Low Density Mixed Use” in the future land use component of the plan. The requested “IDZ-2” is consistent with the adopted land use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

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

The current “IDZ” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The requested “IDZ-2” maintains the current zoning and land use plan of the area but would allow more intense commercial uses, along with a Tattoo Parlor and Bar/Tavern.

### **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 rezoning request does not appear to conflict with the land use goals and strategies of the North Sector Plan.

- Goal 8: Increase homeownership through infill development and housing rehabilitation.
- Goal 10: Preserve the unique historic character of Dignowity Hill.
- Goal 12: Expand neighborhood businesses that are convenient and safe for residents and visitors to easily access and enjoy.

### **"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 4a, because it preserves and revitalizes housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.
- 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 0.4291 acres, which would adequately support commercial and residential development.

**7. Other Factors:**

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

This property is located within the Dignowity Hill Historic District. Any future modifications, signage or new construction will require written approval. Approval of a zoning change does not supersede any requirements for design review outlined in Article VI of the Unified Development Code.