



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-3165

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 5/16/2017

**Title:** ZONING CASE # Z2017152 S (Council District 2): A request for a change in zoning from "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "AE-2" Arts and Entertainment District and a Bank on Lots 1 and 2, Block 1, NCB 1385, located at 118 S. Hackberry and 406 Idaho Street. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Z2017152 Site Plan

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2017152 S

**SUMMARY:**

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

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "AE-2" Arts and Entertainment District and a Bank

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 16, 2017

**Case Manager:** Angela Cardona, Planner

**Property Owner:** Malley Investments, LLC

**Applicant:** Malley Investments, LLC

**Representative:** Patrick Christensen

**Location:** 118 S. Hackberry and 406 Idaho Street

**Legal Description:** Lots 1 & 2, Block 1, NCB 1385

**Total Acreage:** 0.207 acres

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association and Alamo Gardens Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is part of the original 36 square miles. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "RM-4" Residential Mixed District. The property was rezoned to "AE-2 " Arts and Entertainment District, which was established by Ordinance 2008-12-04-1128, dated December 4, 2008.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** AE-1 S, AE-1

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** AE-2

**Current Land Uses:** Residential

**Direction:** South

**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:** 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 Hackberry

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** East Commerce

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus route is #28 and the #25 is within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis is not required. "IDZ" is exempt from the Traffic Impact Analysis requirement.

**Parking Information:** The "IDZ" Infill Development Zone District waives off-street vehicle parking requirements

**ISSUE:**

None

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None

**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 property is located within the Downtown Neighborhood Plan. The proposed base zoning district of "IDZ" with uses permitted in "AE-2" is consistent with the current 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, as the request is located on a corner lot and appropriate adjacent to the residential uses.

**3. Suitability as Presently Zoned:**

The current "AE-2" base zoning district is appropriate for the surrounding area. The proposed use is consistent with the recommended uses for a corner lot within the AE District.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

As the request is consistent with the Downtown Neighborhood Plan, staff finds that the request is not contrary to any stated public policy objective.

**6. Size of Tract:**

The 0.207 acre tract should accommodate the proposed use for a bank.

**7. Other Factors:**

The applicant proposes a bank on the subject property. The request to rezone the subject property is a compatible land use for the area.

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.