



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-6073

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/17/2015

**Title:** ZONING CASE # Z2016014 (Council District 5): An Ordinance amending the Zoning District Boundary from "I-1 HL AHOD" General Industrial Historic Landmark Airport Hazard Overlay District to "IDZ HL AHOD" Infill Development Zone Historic Landmark Airport Hazard Overlay District with Uses Permitted in "C-2" Commercial District on 0.221 acres of land out of NCB 2302, located at 1617 West Commerce Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-014 Location Map, 2. Z2016-014 Site Plan, 3. DRAFT ORDINANCE, 4. Ordinance 2015-12-17-1087

Date	Ver.	Action By	Action	Result
12/17/2015	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2016014

**SUMMARY:**

**Current Zoning:** "I-1 HL AHOD" General Industrial Historic Landmark Airport Hazard Overlay District

**Requested Zoning:** "IDZ HL AHOD" Infill Development Zone Historic Landmark Airport Hazard Overlay District with Uses Permitted in "C-2" Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 17, 2015

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** 1617 West Commerce LLC, Daniel Markson Manager

**Applicant:** Eduardo Garcia/ Duende Design Architects, Inc

**Representative:** Eduardo Garcia

**Location:** 1617 West Commerce Street

**Legal Description:** 0.221 acres out of NCB 2302

**Total Acreage:** 0.221

**Notices Mailed**

**Owners of Property within 200 feet:** 19

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

**Planning Team:** None

**Applicable Agencies:** Airport Hazard Overlay District

**Property Details**

**Property History:** The subject property was originally zoned "J" Commercial District as part of the original City of San Antonio boundaries in 1938. Upon adoption of the 1965 Unified Development Code, the zoning converted to "I-1" General Industrial District. The property is platted and a portion of Lot 6 was conveyed to the City of San Antonio in Volume 817, Page 508 of Bexar County Deeds and Records.

**Topography:** The property is adjacent to Alazan Creek and is included within a 100-year floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** MF-33

**Current Land Uses:** Single-Family Residences

**Direction:** South

**Current Base Zoning:** I-1

**Current Land Uses:** Vacant Home/Office, Gas Station, Creek

**Direction:** East

**Current Base Zoning:** I-1

**Current Land Uses:** Residences, Auto Parts, Restaurant

**Direction:** West

**Current Base Zoning:** I-1

**Current Land Uses:** Retail Center, Vacant Land, Creek

**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:** West Commerce Street

**Existing Character:** Primary Arterial B, sidewalks on both sides of street

**Proposed Changes:** None known

**Public Transit:** VIA bus route #76 stops at the corner of West Commerce Street and Colorado Street.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. Infill Development (IDZ) is exempt from TIA requirements.

**Parking Information:** The “IDZ” Infill Development Zone District eliminates off street vehicle parking requirements.

**ISSUE:**  
None.

**ALTERNATIVES:**  
Denial of the proposed zoning will result in the subject property retaining the “I-1” base zoning district.

**FISCAL IMPACT:**  
None.

**RECOMMENDATION:**  
**Staff Analysis and Recommendation:** Staff and Zoning Commission (8-0) 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 not located within a Community Plan therefore a finding of consistency is not required. The requested “IDZ” base zoning district with uses permitted in C-2 is consistent with the zoning and uses of the surrounding area.

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

Staff has found no evidence of likely adverse impacts to neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area.

**3. Suitability as Presently Zoned:**

The existing “I-1” base zoning district is not consistent with the surrounding area. The area is along a well-travelled section of West Commerce that is primarily consisting of restaurants and commercial businesses. In addition, there are several residences within walking distance of the subject property which would be harmed from having an industrial use so close to their homes. Finally, a restaurant would be a better use in close proximity to the creek rather than an industrial use which would potentially adversely impact the natural waterway.

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

Staff has not found any evidence of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

Staff finds that the proposed zoning change imposes no adverse effect on any public policy objective.

**6. Size of Tract:**

The 0.221 acre site is of sufficient size to accommodate the proposed development.

**7. Other Factors:**

The property consists of what was previously known as the “Contreras Ice House.” The subject property is

developed with a structure that is approximately 875 square feet in area and an outdoor patio that is approximately 675 square feet in area. The manner in which the lot is configured does not allow for on-site parking. Parking on the street is allowed on West Commerce. In addition, there are several parking lots for the retail businesses nearby that can be used after business hours.