



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-6076

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**Agenda Item Number:** Z-4.

**Agenda Date:** 12/17/2015

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2016005

**SUMMARY:**

**Current Zoning:** "IDZ HS AHOD" Infill Development Zone Historic Significant Airport Hazard Overlay District with uses for Mixed Use Community.

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses for Mixed Use Community to remove the historic designation status.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 17, 2015. This case is continued from the November 3, 2015 hearing.

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Friedrich Lofts Ltd by Millennium Urban Village, General Partner, John Miller, President/Director

**Applicant:** John Miller

**Representative:** Brown & Ortiz (c/o James McKnight)

**Location:** 1617 and 1631 East Commerce Street

**Legal Description:** 5.307 acres of land out of NCB 593 and NCB 595

**Total Acreage:** 5.307

**Notices Mailed**

**Owners of Property within 200 feet:** 20

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

**Planning Team:** Dignowity Hill Planning Team-23

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property is located within the city limits as established in 1938. According to records available the property was zone "I-1" Light Industrial District. In 1999 it was rezoned to "I-1 HS" Light Industrial Historic Significant. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-1 HS" General Industrial Historic Significant District. In 2005 the subject property was rezoned to "IDZ HS" Infill Development Zone Historic Significant District. The subject property was developed between 1923 and 1953 consisting of fourteen structures with approximately 540,400 square feet of Storage Warehouse, Office, and Manufacturing. The subject property was platted in its current configuration as established in the original 36 square mile subdivision.

**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:** RM-4, R-4

**Current Land Uses:** Carver Complex, Historic Cemetery

**Direction:** East

**Current Base Zoning:** R-4

**Current Land Uses:** Historic Cemetery

**Direction:** South

**Current Base Zoning:** AE-1

**Current Land Uses:** Restaurant, Office

**Direction:** West

**Current Base Zoning:** AE-1, RM-4

**Current Land Uses:** Carver Academy, Community Tower, Vacant

**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.

This property is Historic Significant and is listed in the National Register of Historic Places with original construction dating back to 1923. The surrounding properties are located in the Dignowity Hill Historic District, which was adopted in December 3, 2009. 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.

### **Transportation**

**Thoroughfare:** Commerce Street

**Existing Character:** Primary Arterial, Type B; two lanes each direction with sidewalks both side.

**Proposed Changes:** None known

**Thoroughfare:** Olive Street, Paso Hondo, Robinson Place

**Existing Character:** Local, Type A; one lane each direction with sidewalks both sides.

**Proposed Changes:** None known

**Thoroughfare:** Pine Street

**Existing Character:** Collector; one lane each direction with sidewalks both sides.

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus route to the subject property is the 25 and 2226, which operate along East Commerce Street.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

**Parking Information:** The “IDZ” Infill Development Zone District is exempt from 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 Denial. Zoning Commission recommends Approval (9-1).

**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 Dignowity Hill Neighborhood Plan and is currently designated as High Density Mixed Use in the future land use component of the plan. Requests for the removal of the Historic designations do not change either the existing base zoning district or uses permitted by-right; therefore, a finding of consistency is not required.

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

Staff has found no evidence of likely adverse impacts on neighboring land in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The existing “IDZ” base zoning district is appropriate for the subject property.

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

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

#### **5. Public Policy:**

The proposed request would fail to meet one of the Plan's goals to enhance the historic character of the neighborhood by removing the Historic Designation of the property.

The subject property is the Friedrich Refrigeration Complex a local historic landmark. In addition it is listed on the National Register of Historic Places in accordance to the office of Historic Preservation.

Historic districts and landmark designation preserve and enhance the city's historic resources pursuant to Goal of the plan.

#### **6. Size of Tract:**

The subject property is 5.307 acres in size, which accommodates the existing development.

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

Local historic designation is an important tool which protects historical and community resources from demolition, provides incentives for rehabilitation which spurs economic development, and places design review requirements on the property which ensure quality and compatible construction.

The Office of Historic Preservation Staff recommends denial to the removal of the historic zoning overlay from any portion of the subject property.

The Historic Design Review Commission denied the request to remove the designation.