



City of San Antonio

Legislation Details (With Text)

File #: 15-1319

Type: Zoning Case

In control: City Council A Session

On agenda: 3/5/2015

Title: ZONING CASE # Z2015047 (Council District 5):An Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District and "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two residences to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-4" Residential Mixed District with Outdoor Display of Merchandise and a Non-Commercial Parking Lot on Lots 11 and 12 and the south 76 feet of Lots 9 and 10, Block 4, NCB 8229 located at 4844 West Commerce Street & 106 South San Dario. Staff and Zoning Commission recommend approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Z2015-047 Location Map, 2. Z2015047_minutes, 3. Z2015047_Site Plan, 4. DRAFT ORDINANCE, 5. Ordinance 2015-03-05-0173

Date	Ver.	Action By	Action	Result
3/5/2015	1	City Council A Session	Motion to Approve	

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Council District 5

SUBJECT:

Zoning Case Z2015047

SUMMARY:

Current Zoning: "C-1 AHOD" Light Commercial Airport Hazard Overlay District and "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two residences

Requested Zoning: "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-4" Residential Mixed District with Outdoor Display of Merchandise and a Non-Commercial Parking Lot

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: January 20, 2015

Case Manager: Brenda V. Martinez, Planner

Property Owner: Charles E. Garza

Applicant: Robey Architecture (Thom Robey)

Representative: Robey Architecture (Thom Robey)

Location: 4844 West Commerce Street & 106 South San Dario

Legal Description: Lots 11 and 12 and the south 76 feet of Lots 9 and 10, Block 4, NCB 8229

Total Acreage: 0.2267

Notices Mailed

Owners of Property within 200 feet: 36

Registered Neighborhood Associations within 200 feet: None.

Planning Team: West/Southwest Sector Plan - 35

Applicable Agencies: None.

Property Details

Property History: The subject property located at 4844 West Commerce Street is currently vacant. The property located at 106 South San Dario is currently developed with two residential structures, each measuring 741 square feet and 476 square feet respectively. These structures were built in 1946. The properties were annexed in 1944 and were originally zoned under the 1938 zoning code. In a 1990 large-area case, the properties were rezoned to "R-7 SUP" Small Lot Residence District with a Specific Use for Two Residences and "B-3R" Restrictive Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "R-4 CD" Single-Family Residential District with a Conditional Use for Two Residences and "C-3R" General Commercial Restrictive Alcohol Sales District. In a 2011 large area case, the property located at 4844 West Commerce was rezoned to "C-1" Light Commercial District.

The property owner is proposing to construct a neighborhood market/eatery as well as residential dwellings.

Topography: The subject property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-2"

Current Land Uses: Retail Center

Direction: South

Current Base Zoning: "R-4" and "R-4 CD"

Current Land Uses: Single-Family Residences and Shoe Repair

Direction: East and West

Current Base Zoning: "R-4" and "C-1"

Current Land Uses: Vacant Land, Party Rentals and a Retail Store

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: Secondary Arterial Type A Street; 2 lanes in each direction with a center turning lane.

Proposed Changes: None known

Thoroughfare: South San Dario

Existing Character: Local Street; 1 lane in each direction

Proposed Changes: None known

Public Transit: The nearest VIA bus lines are the number 75, 76 and 275 lines, which operate along West Commerce Street.

Traffic Impact: “IDZ” zoning is exempt from TIA requirements.

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

ISSUE:

None.

ALTERNATIVES:

A denial of the request will result in the subject property retaining the current zoning classifications, restricting future land uses to those permissible in the “R-4” and “C-1” zoning districts.

FISCAL IMPACT:

None. The zoning request is eligible for the Inner City Reinvestment Infill Policy fee waiver. The Development Services Department fees will be reimbursed through grant funding.

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 subject property is located within the West/Southwest Sector Plan area, and is identified as General Urban Tier in the Future Land Use component of the Plan. A determination has been made that the requested “IDZ” designation with uses permitted in “RM-4 and “C-1” is consistent as these two zoning districts are individually consistent with the General Urban Tier land use classification.

2. Adverse Impacts on Neighboring Lands:

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The “IDZ” zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. Further, the “IDZ” district includes design criteria intended to create infill development that is proportional to surrounding development.

3. Suitability as Presently Zoned:

Both the existing and requested zoning are appropriate for the subject property. Staff believes the proposed use will be compatible with the surrounding land uses and overall character of the area.

4. Health, Safety and Welfare:

Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning request. The “IDZ” district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

5. Public Policy:

The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

6. Size of Tract:

The subject property is 0.2267 acres and appears to be of sufficient size to accommodate the proposed development with the flexibility offered by the “IDZ” district.

7. Other Factors:

None.