



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-4783

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 9/20/2016

**Title:** ZONING CASE # Z2016230 (Council District 1): A request for a change in zoning from "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "RM-4" Residential Mixed District to "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, "RM-4" Residential Mixed District, and Private Club with no cover charge or live entertainment three or more days per week on 0.289 acres out of NCB 70047, located at 102 West Josephine Street. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-230, 2. Z2016230 IDZ\_SP

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

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2016230

**SUMMARY:**

**Current Zoning:** "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "RM-4" Residential Mixed District

**Requested Zoning:** "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, "RM-4" Residential Mixed District, and Private Club with no cover charge or live entertainment three or more days per week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 20, 2016

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Qwercky, LTD

**Applicant:** Chistopher Erck

**Representative:** Christopher Erck

**Location:** 102 West Josephine Street

**Legal Description:** 0.289 acres out of NCB 7007

**Total Acreage:** 0.289

**Notices Mailed**

**Owners of Property within 200 feet:** 13

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property is located within the city limits as established in 1938 and was zoned "J" Commercial District. In 1995 the subject property rezoned to "I-1" Light Industrial District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-1" General Industrial District. In 2016 the subject property was rezoned to IDZ RIO-2 with uses permitted in "C-2" Commercial and "RM-4" Residential Mixed District. The subject property is not platted in its current configuration. The subject property was developed in 1961 with approximately 11,576 square feet of retail and storage warehouse structure.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6

**Current Land Uses:** School, Park

**Direction:** East

**Current Base Zoning:** UZROW, I-1

**Current Land Uses:** River, Commercial Bldg.

**Direction:** South

**Current Base Zoning:** IDZ, MF-50, C-3, C-3NA

**Current Land Uses:** Restaurant Parking Lot, Vacant

**Direction:** West

**Current Base Zoning:** C-3NA, I-1

**Current Land Uses:** Commercial Bldg.

**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:** Grayson Street  
**Existing Character:** Secondary Arterial, Type B  
**Proposed Changes:** None known

**Thoroughfare:** Josephine Street  
**Existing Character:** Collector  
**Proposed Changes:** None known

**Thoroughfare:** Elmira Street, Euclid Street  
**Existing Character:** Local, Type A  
**Proposed Changes:** None known

**Public Transit:** The nearest VIA route to subject property is route # 20 which operates along Josephine Street.

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

**Parking Information:** “IDZ” Infill Development Zone waives minimum 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 Tobin Hill Neighborhood Plan and is currently designated as Mixed Use in the future land use component of the plan. The base zoning district is consistent with the future land use designation.

**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.

**3. Suitability as Presently Zoned:**  
The existing “IDZ” base zoning district is consistent with surrounding zoning and uses.

**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 request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property measures 0.289 acres and is sufficient for a limited development with existing IDZ development parking waiver.

**7. Other Factors:**

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