



City of San Antonio

Legislation Details (With Text)

File #: 16-5717

Type: Zoning Case

In control: Zoning Commission

On agenda: 11/15/2016

Title: (Continued from 11/01/16) ZONING CASE # Z2016272 (Council District 2): A request for a change in zoning from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "AE-1 AHOD" Arts and Entertainment Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-18" Limited Density Multi-Family District on Lots 8, 9, 10, 11, 27, Block 7, NCB 1440, located at 2231, 2235, 2243 E. Commerce and 128 and 132 Belmont Street. Staff recommends Denial with Alternate Recommendation.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:

Zoning Case Z2016272

SUMMARY:

Current Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "AE-1 AHOD" Arts and Entertainment Airport Hazard Overlay District

Requested Zoning: IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-18" Limited Density Multi-Family District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 15, 2016. This case is continued from the November 1, 2016 hearing.

Case Manager: Oscar Aguilera, Planner

Property Owner: Gideon Contracting, LCC

Applicant: Gideon Contracting, LCC

Representative: Brown and Ortiz, PC

Location: 2231, 2235, 2243 E. Commerce and 128 and 132 Belmont Street

Legal Description: Lots 8, 9, 10, 11, 27, Block 7, NCB 1440

Total Acreage: 1.22

Notices Mailed

Owners of Property within 200 feet: 61

Registered Neighborhood Associations within 200 feet: Jefferson Heights Neighborhood Association

Applicable Agencies: None

Property Details

Property History: The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned "B" Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "R-4" Residential Single-Family District. On December 4, 2008, Ordinance 2008-12-04-1128 rezoned a portion of the property (Lot 27) to "AE-1" Arts and Entertainment District.

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-4

Current Land Uses: Single-Family Residences, and Vacant Lots

Direction: South

Current Base Zoning: AE-1

Current Land Uses: Office, Restaurants, Auto Repair, Motel, Parking Lot.

Direction: East

Current Base Zoning: AE-1, R-4

Current Land Uses: Single-Family Residences, Vacant Lots, Vacant Building, Restaurant

Direction: West

Current Base Zoning: AE-1, R-4

Current Land Uses: Single-Family Residences, Vacant Lots, Motel

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.

"AE-1" Art and Entrainment Special Zoning Districts are designated to support existing arts and entertainment venues and promote the creation of additional venues and supporting uses. These special zoning districts are

appropriate where existing arts and entertainment venues are adjacent to areas with high building and lot vacancy rates where infill development and redevelopment is desired. By creating a distinct area for arts and entertainment venues and supporting uses, this zoning district allows a community to capitalize on nearby venues and draw visitors into the community. The arts and entertainment districts facilitate infill development and redevelopment by creating a consistent pattern of zoning, creating certainty about the form and function of future development and creating an identity that may be utilized to attract investment. The arts and entertainment districts include four (4) unique districts designed to accommodate a range of existing conditions and desired outcomes. All of the arts and entertainment districts require quality building design and materials and a pedestrian-oriented, mixed-use environment.

Transportation

Thoroughfare: Commerce Street

Existing Character: Primary Arterial Type B 70'

Proposed Changes: None known

Thoroughfare: Belmont Street

Existing Character: Local Street

Proposed Changes: None known

Public Transit: VIA bus routes 75, 76, 275, 276 operate at Commerce at Sabinas Street

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

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 current zoning district.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial with an alternative recommendation.

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 Arena District Community Plan. The property is currently vacant. The property is currently designated as "Mixed Use" in the future land use plan. The requested "IDZ" Infill Development Zone 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 surrounding properties of the proposed uses. However,

removal of the “A&E” Arts and Entertainment District will remove the property from the design standards. Staff recommends the property remain in the “A&E” designation to be consistent within the district.

3. Suitability as Presently Zoned:

The requested “IDZ” Infill Development Zone Airport Hazard Overlay District with uses permitted in “MF-18” Limited Density Multi-Family District is appropriate for the subject property. This request will not have any negative effects on future development, but rather provide additional housing for the individuals employed for the proposed business. The site location is on a major thoroughfare. Finally, the property is surrounded by similar mixed uses and is in an area with a lot of vacant lots and businesses.

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 because it is consistent with the future land use plan.

6. Size of Tract:

The subject property is 1.22 acres in size, which accommodates the proposed development with adequate space for parking.

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, lot sizes, and setbacks.

Staff recommends the property fronting on E. Commerce remain as “AE-1” as the proposed uses are allowed by right and the applicant is proposing a design consistent with the design standards. Staff recommends “IDZ” as an overlay to relax setbacks and parking standards. Staff recommends approval of the request for “IDZ” with “MF-18” uses on the lots fronting Belmont.