



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1018

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 12/19/2017

**Title:** ZONING CASE # Z2018036 (Council District 2): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses allowed in "C-2" Commercial District, "MF-33" Multi-Family District, Coffee Roasting, and Bar/Tavern on Lot 5, Lot C, and the West 35 feet of Lot 6, NCB 981, located at 1417 Austin Street, 618 East Josephine and 622 East Josephine. Staff recommends Denial.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

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

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018036

**SUMMARY:**

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

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses allowed in "C-2" Commercial District, "MF-33" Multi-Family District, Coffee Roasting, and Bar/Tavern

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 19, 2017

**Case Manager:** Angela Cardona, Planner

**Property Owner:** OT Partners, LLC

**Applicant:** Patrick Shearer

**Representative:** Patrick Shearer

**Location:** 1417 Austin Street, 618 & 622 East Josephine.

**Legal Description:** Lot 5, Lot C, and the West 35 feet of Lot 6, NCB 981

**Total Acreage:** 0.5077 Acres

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association

**Applicable Agencies:** None.

**Property Details**

**Property History:** The subject property is within the original 36 square miles of the City and was zoned "J" Commercial District. The property then converted to the current "I-1" General Industrial District upon adoption of the 2001 Unified Development Code.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "IDZ"

**Current Land Uses:** New Construction of future Multi-Family and Commercial uses.

**Direction:** South

**Current Base Zoning:** "IDZ" and "I-1"

**Current Land Uses:** Church and

**Direction:** East

**Current Base Zoning:** "MF-33" and "RM-5"

**Current Land Uses:** Residential and Multi-Family

**Direction:** West

**Current Base Zoning:** "I-1"

**Current Land Uses:** Residential, Vacant Lot, Dog Kennel

**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:** East Josephine

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Austin Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** Via route #20 is located across the street from subject property.

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

**Parking Information:** The “IDZ” Infill Development Zone District waives 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. The current “I-1” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is within the Midtown Regional Center and is on the New Braunfels Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 Government Hill Neighborhood Plan and is currently designated as “Mixed Use” in the future land use component of the plan. The requested uses are consistent with the future land use designation; however, staff finds inconsistency with commercial uses adjacent to established residences surrounding the subject property on Austin Street.

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

Staff finds evidence of likely adverse impact of commercial uses on neighboring residences located on Austin Street in relation to this zoning change request. The subject property on Austin Street lies between two established residential uses on a primarily residential block. The exemption of on street parking with the request for “IDZ” can dramatically impact traffic patterns on a local street lies along the New Braunfels Premium Transit Corridor.

**3. Suitability as Presently Zoned:**

The current “I-1” base zoning district is not appropriate for the surrounding area. The adjacent properties are

established residential and commercial uses.

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

Staff has found no indication of likely adverse effects on the public health or welfare, but finds a likely adverse effect for safety as the requirement for onsite parking is waved for the requested “IDZ” use. The potential for increased vehicular parking on a local street with a frequent busline can impact the flow of traffic and accessibility for vehicular, bicycle and pedestrian mobility.

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

The rezoning request appears to conflict with land use goals and strategies of the Government Hill Neighborhood Plan redevelopment strategies to conserve, rehabilitate and/or replace housing stock compatible with surrounding housing. While the future land use does call for “Mixed Use” the characteristic of the local street and surrounding uses could benefit from specific uses designated for each parcel, defining the residential uses from commercial uses.

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

The subject property is 0.5077 acres which reasonably accommodates uses in the requested “C-2” and “MF-33” base zoning districts.

#### **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.

The Government Hill Neighborhood Plan identifies Austin Street to have known parking problems due to insufficient parking causing concern for congested traffic and blocked driveways.