



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1446

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/15/2018

**Title:** ZONING CASE # Z2018067 (Council District 2): An Ordinance amending the Zoning District Boundary from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted for Multi-Family not to exceed 36 units per acre to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay with uses permitted for Multi-Family not to exceed 36 units per acre and with Live-Work units on 0.1846 acres out of NCB 590, located at 120 North Cherry Street and 122 North Cherry Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Metes and Bounds, 6. Ordinance 2018-02-15-0126

| Date      | Ver. | Action By              | Action            | Result |
|-----------|------|------------------------|-------------------|--------|
| 2/15/2018 | 1    | City Council A Session | Motion to Approve |        |

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018067

**SUMMARY:**

**Current Zoning:** : "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District not to exceed 36 units per acre

**Requested Zoning:** "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District not to exceed 36 units per acre and with Live-Work units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 16, 2018

**Case Manager:** Angela Cardona, Planner

**Property Owner:** K/T TX Holdings, LLC

**Applicant:** Terramark Urban Homes

**Representative:** John Cooley

**Location:** 120 North Cherry Street and 122 North Cherry Street

**Legal Description:** 0.1846 acres out of NCB 590

**Total Acreage:** 0.1846

**Notices Mailed**

**Owners of Property within 200 feet:** 15

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject properties are located within the original 36 square miles established in 1938 and were zoned “J” Commercial District. Upon the adoption of the 1965 Unified Development Code, the property converted to “I-1” Light Industrial District. On December 14, 1999, the properties were part of a City-initiated rezoning case and converted to “B-3” Business District (Ordinance 70785) and were then converted to the current “C-3” General Commercial District upon adoption of the Unified Development Code on May 3, 2001 (Ordinance 93881). The property was recently rezoned to “IDZ” Infill Development Zone with uses permitted for Multi-Family not to exceed 36 units per acre (Ordinance 2017-12-07-0953).

**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:** “IDZ”, “C-3”

**Current Land Uses:** Vacant Lots, Funeral Home

**Direction:** West

**Current Base Zoning:** “D”

**Current Land Uses:** Vacant Lots

**Direction:** South

**Current Base Zoning:** “AE-1”

**Current Land Uses:** Vacant Commercial Storage

**Direction:** East

**Current Base Zoning:** “IDZ”, “RM-4”

**Current Land Uses:** Vacant Lots, Single-Family Housing

**Overlay and Special District Information:**

The subject property is located within the “AHOD” Airport Hazard Overlay District. The “AHOD” does not restrict permitted uses, but may require additional review by both the Federal Aviation Administration and Development Services Department.

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:** North Cherry Street

**Existing Character:** Collector Street

**Proposed Changes:** None Known

**Thoroughfare:** Center Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** North Swiss Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** The nearest VIA bus routes are #25, #28 and #230 and are within walking distance of the subject property.

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

**Parking Information:** Parking requirements are determined by use: Multi-Family Minimum vehicle spaces: 1.5 per unit and Maximum vehicle spaces: 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The current zoning “C-3” General Commercial District allows for more intensive commercial uses than those located within the “NC”, “C-1” or “C-2” zoning districts. General Commercial uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display is permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**

None.

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

The subject property is within one half mile of the Downtown Regional Center and within one half mile of the Commerce-Houston Transit Corridor and Near Eastside Corridor Buffer.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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 Dignowity Hill Neighborhood Plan and is currently designated as “Low Density Mixed Use” in the future land use component of the plan. The proposed use is consistent with the Dignowity Hill Neighborhood Plan.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change because the request is consistent with the immediate surrounding properties for residential dwelling uses.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is inappropriate for the subject property’s location as it is currently surrounded by residential 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 rezoning request does not appear to conflict with land use goals and strategies of the Dignowity Hill Neighborhood to provide Low Density Mixed Uses to the area.

**6. Size of Tract:**

The subject property totals 0.1846 acres in size, which should reasonably accommodate the proposed development.

**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.

Additionally, the applicant’s request for IDZ based on the following criteria:

- The Master Plan’s Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- The Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The Master Plan’s Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.