



City of San Antonio

Legislation Details (With Text)

File #: 18-1516
Type: Zoning Case
In control: Zoning Commission
On agenda: 2/6/2018
Title: ZONING CASE # Z2018067 (Council District 2): A request for a change in zoning from "C-3 H AHOD" Commercial Dignowity Hill Historic Airport Hazard Overlay District to "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 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. Zoning Minutes, 3. Site Plan

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:
Zoning Case Z2018067

SUMMARY:
Current Zoning: "C-3 H AHOD" Commercial Dignowity Hill Historic Airport Hazard Overlay District

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: February 6, 2018. This case has been expedited to the February 15, 2018 City Council Hearing due to the cancellation of the January 16 Zoning Commission Meeting.

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).

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 recommends 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:

The proposed development of dwelling units with Live-Work units is not to exceed 36 units per acre resulting in 24 units total.

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.