



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4240

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/2/2018

**Title:** ZONING CASE # Z2018217 (Council District 2): Ordinance amending the Zoning District Boundary from "C-2 H AHOD" Commercial Dignowity Hill Historic Airport Hazard Overlay District and "C-1 H AHOD" Light Commercial Dignowity Hill Historic Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District on 0.757 acres out of NCB 577, located at 1602 East Houston Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Draft Ordinance, 4. Metes and Bounds, 5. Z2018217 Minutes, 6. Ordinance 2018-08-02-0574

Date	Ver.	Action By	Action	Result
8/2/2018	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018217

**SUMMARY:**

**Current Zoning:** "C-2 H AHOD" Commercial Dignowity Hill Historic Airport Hazard Overlay District and "C-1 H AHOD" Light Commercial Dignowity Hill Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 19, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** REX, LLC

**Applicant:** Laurence Seiterle

**Representative:** Laurence Seiterle

**Location:** 1602 East Houston Street

**Legal Description:** 0.757 acres out of NCB 577

**Total Acreage:** 0.757

**Notices Mailed**

**Owners of Property within 200 feet:** 39

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

**Applicable Agencies:** Office of Historic Preservation, Fort Sam Houston

**Property Details**

**Property History:** The properties were a part of the original 36-square miles of San Antonio and were zoned "F" Local Retail District. The southern property was rezoned from "F" to "JJ" Commercial District by Ordinance 30277, dated April 18, 1962. The remaining properties converted to "B-2" Business District with the adoption of the 1965 Unified Development Code (UDC), established by Ordinance 33412, dated June 28, 1965. The southern property was rezoned from "JJ" to "B-1" Business District by Ordinance 70785, dated December 14, 1989. The properties converted from "B-1" and "B-2" to the current "C-1" Light Commercial and "C-2" Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**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:** "C-2"

**Current Land Uses:** Retail Shops

**Direction:** East

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Vacant Residential

**Direction:** South

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

**Current Land Uses:** Strong Foundation Ministries

**Direction:** West

**Current Base Zoning:** "RM-4 CD", "RM-4"

**Current Land Uses:** Vacant Residential

**Overlay and Special District Information:**

"AHOD"

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 Houston Street

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** North Hackberry Street

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 24 and 222 are within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report 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 designations of “C-1” Light Commercial District and “C-2” Commercial District.

The “C-1” base zoning district accommodates neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. “C-1” uses are considered appropriate buffers between residential uses and “C-2” and “C-3” districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail - no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The “C-2” base zoning district accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining

**FISCAL IMPACT:**

None.

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

The property is not located within a Regional Center. The property is located within a ½ of a mile of the Commerce-Houston Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 requested “IDZ” base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “C-1” Light Commercial District and “C-2” Commercial District are appropriate zoning for the property and surrounding area. The area includes a mix of base zonings to include the requested “IDZ”.

**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 property is located within the Dignowity Hill Neighborhood Plan. The proposed rezoning is consistent with the goals and objectives of the Government Hill Neighborhood Plan as well as the SA Tomorrow Comprehensive Plan. The proposed rezoning will permit the adaptive reuse of an existing structure which has been vacant for an extended period of time. The requested “IDZ” base zoning with commercial uses will provide neighborhood businesses to the residents of Dignowity Hill while preserving the historic character of the neighborhood.

Relevant Goals and Objectives of the Dignowity Hill Neighborhood Plan:

- Objective 9.3: Recognize historic preservation and housing and building restoration as a first priority over demolition
- Objective 9.3.6: Encourage adaptive reuse of structures rather than demolition
- Goal 10: Preserve the unique historic character of Dignowity Hill
- Goal 12: Expand neighborhood businesses that are convenient and safe for residents and visitors to easily access and enjoy
- Objective 12.1: Establish and promote shopping within the Dignowity Hill neighborhood
- Objective 12.6. Encourage investment and adaptive reuse of former industrial or warehouse structures

**6. Size of Tract:**

The subject property is 0.757 of an acre, which could accommodate the proposed commercial 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.

The requested “IDZ” base zoning is supported by the following criteria:

- The applicant’s request meets 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 applicant’s request meets the Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.

The applicant’s request 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.