



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5296  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 10/4/2018  
**Title:** ZONING CASE # Z2018287 (Council District 2): Ordinance amending the Zoning District Boundary from "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted for two (2) residential units on 0.061 acres out of NCB 1394, located at 910 Montana 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. Field Notes, 6. Ordinance 2018-10-04-0795

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**  
Zoning Case Z2018287

**SUMMARY:**  
**Current Zoning:** "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted for two (2) residential units

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** September 4, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Group Aura Imaginable LLC

**Applicant:** Gerardo Ituarte

**Representative:** Gerardo Ituarte

**Location:** 910 Montana Street

**Legal Description:** 0.0610 acres out of NCB 1394

**Total Acreage:** 0.0610

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Denver Heights

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was rezoned from “RM-4” Residential Mixed District to “AE-2” Arts and Entertainment District by Ordinance 2008-12-04-1128, dated December 4, 2008

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “AE-2”

**Current Land Uses:** Single-Family Residences and Castillo Roofing and Sheet metal

**Direction:** East

**Current Base Zoning:** “AE-2” and “RM-4”

**Current Land Uses:** Single-Family Residences, and Duplexes

**Direction:** South

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Single-Family Residences and Duplexes

**Direction:** West

**Current Base Zoning:** “AE-2” and “RM-4”

**Current Land Uses:** Single-Family Residences

**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:** Montana

**Existing Character:** Collector

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 25, 225

**Thoroughfare:** Monumental

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 25, 225

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. IDZ is exempt from TIA requirements.

**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 of “AE-2”. “AE-2” is meant to encourage development patterns that support existing arts and entertainment venues while promoting the creation of additional venues and supporting uses.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is located within a half mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 Arena District/Eastside Community Plan and is currently designated as “Medium Density Residential” in the future land use component of the plan. The requested “IDZ” base zoning is compatible with the future land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “AE-2” Arts and Entertainment District is an appropriate zoning for the property and surrounding area.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Arena District/Eastside Community Plan.

Five Points Neighborhood Plan Relevant Goals and Objectives:

- Redevelopment Goals over the next 10-15 years

- 1.1 New home construction - 25-50 homes per year
- 2. Land Use Guiding Principles
  - 2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations
  - 2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment

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

The subject property is 0.0610 acres, which would adequately support an infill development of 2 units.

## **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 is consistent with 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 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.