# City of San Antonio

## Legislation Details (With Text)

| | |
|---|---|
| **File #:** | 19-1407 |
| **Type:** | Zoning Case |
| **In control:** | Zoning Commission |
| **On agenda:** | 1/15/2019 |
| **Title:** | ZONING CASE # Z-2018-900068 (Council District 2): A request for a change in zoning from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District, a Bar/Nightclub without cover charge 3 or more days per week and Live Entertainment on Lot 8, NCB 500, located at 415 Milam Street. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA2018-900025) |
| **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 Z-2018-900068
(Associated Plan Amendment PA2018-900025)

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

**Requested Zoning:** "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District, a Bar/Nightclub without cover charge 3 or more days per week and Live Entertainment

**BACKGROUND INFORMATION:**
**Zoning Commission Hearing Date:** January 15, 2019. This item has been expedited to the January 17, 2019 City Council meeting.

**Case Manager:** Dominic Silva, Planner

**Property Owner:** Cuny Properties, LLC

**Applicant:** Oliver Billingsley

**Representative:** Oliver Billingsley

**Location:** 415 Milam Street

**Legal Description:** Lot 8, NCB 500

**Total Acreage:** 0.797

**Notices Mailed**
**Owners of Property within 200 feet:** 25
**Registered Neighborhood Associations within 200 feet:** N/A
**Applicable Agencies:** Texas Department of Transportation

**Property Details**
**Property History:** The subject property was originally "I-1", established by Ordinance 33412, dated June 28, 1965. Upon the adoption of the 2001 Unified Development Code, the previous "I-1" remained "I-1".

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

**Adjacent Base Zoning and Land Uses**
**Direction**: North
**Current Base Zoning:** "C-2"
**Current Land Uses:** Residential

**Direction**: East
**Current Base Zoning:** "C-3"
**Current Land Uses:** Vacant

**Direction**: South
**Current Base Zoning:** "C-2"
**Current Land Uses:** Gas Station

**Direction**: West
**Current Base Zoning:** "R-6"
**Current Land Uses:** Residential

**Overlay and Special District Information:**

**Transportation**
**Thoroughfare:** Milam Street
**Existing Character:** Local
**Proposed Changes:** None Known
**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**Thoroughfare:** North Hackberry
**Existing Character:** Local
**Proposed Changes:** None Known
**Public Transit:** VIA bus routes are not within walking distance of the subject property.

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

**Parking Information:**
The minimum number of parking spaces for a nightclub is 1 per 100 sf of GSF.

**ISSUE:**
None.

**ALTERNATIVES:**
Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "I-1". This district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development.

**FISCAL IMPACT:**
None.

**Proximity to Regional Center/Premium Transit Corridor**
The property is located within 1 mile of the Downtown and Midtown Regional Center and is not located within a Premium Transit Corridor.

**RECOMMENDATION:**
**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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-3" base zoning is not compatible with the future land use designation and is consistent with the surrounding properties. The applicant requested a Plan Amendment to "Mixed Use." Staff and Planning Commission recommend Approval.

**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 "I-1" General Industrial District is an appropriate zoning for the property and surrounding area. The requested "IDZ-3" with uses permitted in "C-3" is a down zone from a more intense district.

**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 appear to conflict with the following goals, principles, and objectives of the Arena District/Eastside Community Plan.

Arena District/Eastside Community Plan Relevant Goals and Objectives:

- Goal 2; Objective 2.1: Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations.
- Goal 2; Objective 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 0.797 acres, which would adequately support a variety of commercial uses.

**7. Other Factors:**
Staff is working with the applicant for a more complete site plan.


powered by Legistar™