



# City of San Antonio

## Agenda Memorandum

**File Number:**16-1689

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**Agenda Item Number:** 19.

**Agenda Date:** 2/16/2016

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2016089

**SUMMARY:**

**Current Zoning:** "C-3 H HE AHOD" General Commercial Dignowity Hill Historic Exceptional Airport Hazard Overlay District, "C-3 H AHOD" General Commercial Dignowity Hill Historic Airport Hazard Overlay District, and "RM-4 H AHOD" Residential Mixed 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 for Multi-Family not to exceed 36 units per acre and "IDZ H HE AHOD" Infill Development Zone Dignowity Hill Historic Exceptional Airport Hazard Overlay District with uses permitted for Multi-Family not to exceed 36 units per acre

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 16, 2016

**Case Manager:** Ernest Brown, Planner

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

**Applicant:** K/T TX Holdings, LLC c/o John Cooley

**Representative:** John Cooley

**Location:** 402 and 406 Center Street, 126 Cherry Street, and 126, 130, 134 and 139 North Swiss Street

**Legal Description:** 0.758 acres of land out of NCB 590

**Total Acreage:** 0.758

## **Notices Mailed**

**Owners of Property within 200 feet:** 27

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

**Applicable Agencies:** None.

## **Property Details**

**Property History:** The subject properties are located within the city limits as established in 1938 and were originally zoned “J” and “K” Commercial Districts. Upon adoption of the 1965 Unified Development Code, the property converted to “I-1” Light Industrial District. In 1999, the properties were part of a City-initiated rezoning case and converted to “B-3” Business District and “R-2” Residential District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current “C-3” General Commercial and “RM-4” Residential Mixed base districts. The properties are currently vacant and undeveloped.

**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:** D H, C-2NA H, C-3 H, RM-4 H

**Current Land Uses:** Government Building, Funeral Home and Parking lot, Community Center, Single-Family Residence, Vacant

**Direction:** East

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

**Current Land Uses:** Parking lot, Church

**Direction:** South

**Current Base Zoning:** RM-4, AE-E-1 S H, D

**Current Land Uses:** Single-Family Residence, Vacant, Hotel Parking Lot, Commercial Storage Vacant.

**Direction:** West

**Current Base Zoning:** D

**Current Land Uses:** Vacant

**Overlay and Special District Information:** 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.

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.

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.

### **Transportation**

**Thoroughfare:** North Cherry Street

**Existing Character:** Collector, two lanes each direction with sidewalks both sides.

**Proposed Changes:** None known.

**Thoroughfare:** North Swiss, North Mesquite Street, Center Street

**Existing Character:** Local, Type A; one lane each direction with sidewalks on both sides.

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA bus routes are 25, 28 and 230 which operates one block south on East Commerce Street and VIA bus routes 25 which operates on North Cherry Street.

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

**Parking Information:** The “IDZ” Infill Development Zone District waives off-street vehicle parking.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

### **FISCAL IMPACT:**

None.

### **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 has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

#### **3. Suitability as Presently Zoned:**

Although the existing “RM-4” base zoning district is appropriate for the subject property, the existing “C-3” base zoning district is not appropriate.

**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 proposed development for multiple family dwelling units is consistent with the Dignowity Hill Neighborhood objective for Low Density Mixed land use.

**6. Size of Tract:**

The subject property measures 0.758 of an acre tract and is sufficient to accommodate the proposed development and parking requirements.

**7. Other Factors:**

The applicant is proposing dwelling units not to exceed 36 units per acre.