



# City of San Antonio

## Agenda Memorandum

**File Number:**17-2857

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**Agenda Item Number:** Z-8

**Agenda Date:** 5/4/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2017097

**SUMMARY:**

**Current Zoning:** "AE-1 AHOD" Arts and Entertainment Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, "MF-40" Multi-Family District, and a Bar

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 4, 2017

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Pivotal Holdings, LLC

**Applicant:** Stephen Noteboom

**Representative:** Trey Jacobson

**Location:** 1634 East Commerce Street

**Legal Description:** Lots 8 and 9, Block 4, NCB 600

**Total Acreage:** 0.2343

**Notices Mailed**

**Owners of Property within 200 feet:** 18

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association and Dignowity Hill

**Applicable Agencies:** Parks and Recreation

**Property Details**

**Property History:** The subject property was included in the original 36 square miles of the City of San Antonio and was previously zoned "K" Commercial District. A 1993 case (Ordinance 79329) zoned the subject property as "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3" General Commercial District. Finally a 2008 case (Ordinance 2008-12-04-1128) rezoned the property from "C-3" General Commercial District to the current "AE-1" Arts and Entertainment District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** IDZ and R-4

**Current Land Uses:** Parking Lot, the Friedrich Building and Alamo Masonic Cemetery

**Direction:** West

**Current Base Zoning:** IDZ and AE-1

**Current Land Uses:** Restaurant and Communities in Schools Office Building

**Direction:** South

**Current Base Zoning:** AE-2

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

**Direction:** East

**Current Base Zoning:** AE-1 and AE-2

**Current Land Uses:** A & A Collision Center

**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

**Transportation**

**Thoroughfare:** East Commerce Street

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** South Pine Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA route 25 is within walking distance of the subject property.

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

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

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district.

**FISCAL IMPACT:**

None.

**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 property is located within the Downtown Neighborhood Plan, and is currently designated as Mixed Use in the future land use component of the plan. The requested “IDZ” Infill Development zone 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. The applicant requests this zone change in order to develop the property for mixed use. The proposed uses include a bar, restaurant, retail and Multi-family component.

**3. Suitability as Presently Zoned:**

The “AE-1” Arts and Entertainment zoning district was created to support existing arts and entertainment venues and promote the creation of additional venues and supporting uses with emphasis on building design. However, the surrounding area consists of “IDZ” uses that have already been developed, make it difficult to comply with the purpose of the “AE-1” district.

**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 any public policy objective, because the request is consistent with the plan.

**6. Size of Tract:**

The subject property totals 0.2343 acres in size, which should reasonably accommodate the uses permitted in “IDZ” Infill Development Zone District.

**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.