



# City of San Antonio

## Agenda Memorandum

**File Number:**19-7484

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**Agenda Item Number:** Z-9.

**Agenda Date:** 10/17/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700199

**SUMMARY:**

**Current Zoning:** "I-2 EP-1 MLOD-3 MLR-2" Heavy Industrial Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District

**Requested Zoning:** "IDZ-2 EP-1 MLOD-3 MLR-2" Medium Intensity Infill Development Zone Facility Parking/Traffic Control Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 District with uses permitted in "C-2" Commercial District and "R-6" Residential Single Family

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 1, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Juan Albert Hurtado

**Applicant:** Juan Albert Hurtado

**Representative:** Juan Albert Hurtado

**Location:** 2539 Dignowity Avenue

**Legal Description:** Lot 9 and 10, Block 4, NCB 1196

**Total Acreage:** 0.2314

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association

**Applicable Agencies:** Martindale Army Air Field; Fort Sam Houston

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio.

**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:** "I-2"

**Current Land Uses:** Industrial

**Direction:** South

**Current Base Zoning:** "I-2"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "I-2"

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "I-2"

**Current Land Uses:** 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.

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

"EP"

The Facility Parking/Traffic Control District establishes regulations for parking and traffic around large facilities that attract large amounts of vehicle traffic. The overlay district is meant to regulate parking of vehicles in areas not properly zoned for commercial parking; to reduce aesthetic and traffic problems for persons and businesses in these areas; to reduce visual blight, congestion, and wear and tear on city streets; and to increase access for emergency vehicles in these areas.

### **Transportation**

**Thoroughfare:** Dignowity Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Roper Street  
**Existing Character:** Local  
**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.  
**Routes Served:** 22, 222, 515

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The minimum parking requirement for a dwelling is 1 space per unit. The minimum parking requirement for an art gallery is 1 space per 300 square feet. Parking requirements for “IDZ-2” can be reduced by 50%.

**ISSUE:**  
None.

#### **ALTERNATIVES:**

**Current:** The present zoning district designation of “I-2” Heavy Industrial District accommodates uses that are highly hazardous, environmentally severe in character and/or generate very high volumes of truck traffic. The “I-2” district is established in order to provide sites for activities which involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the “L” or “I-1” district. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines. These districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required.

**Proposed:** The proposed “IDZ-2” Medium Intensity Infill Development Zone provides flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas.

**FISCAL IMPACT:**  
None.

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

The subject property is not within a Regional Center but located within the 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 Government Hill Neighborhood Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “IDZ-2” base zoning district is consistent with the future land use designation.

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

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

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

The current “I-2” Heavy Industrial District is not an appropriate zoning for the property and surrounding area. While industrial uses are abundant to the lots west and directly north of the subject property, the neighborhood plan is moving to commercial uses matching the restaurants to the east. The proposed “IDZ-2” is a downzoning which would allow residential and commercial development.

### **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 Government Hill Neighborhood Plan:

Community Commercial: A commercial retrofit pattern, a type of infill development, is allowed by right in commercial zoning districts. This type of infill development could transform surface parking lots into a town center with a mix of office, residential and commercial uses.

Objective: To encourage and support any revitalization and redevelopment efforts consistent with this plan.

"IDZ"

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 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.
- The applicant's request the Master Plan's Policy for Neighborhoods - Policy 2b, because it creates mixed-use districts.

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

The subject property is 0.2314 acres, which could reasonably accommodate infill development of residential and commercial uses.

### **7. Other Factors:**

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

The subject property is located within the Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.