



City of San Antonio

Agenda Memorandum

File Number:21-4761

Agenda Item Number: 12.

Agenda Date: 7/20/2021

In Control: Zoning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:

Zoning Case Z-2021-10700142

SUMMARY:

Current Zoning: "AE-1 AHOD" Arts and Entertainment Airport Hazard Overlay District and "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District

Requested Zoning: "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for eleven (11) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: July 20, 2021

Case Manager: Mirko Maravi, Senior Planner

Property Owner: K/T TX Holdings LLC

Applicant: Terramark Urban Homes

Representative: John T. Cooley

Location: 1712 East Commerce Street and 711 Montana Street

Legal Description: Lots 11 and 19, Block 109, NCB 1386

Total Acreage: 0.3825

Notices Mailed

Owners of Property within 200 feet: 31

Registered Neighborhood Associations within 200 feet: Denver Heights Neighborhood Association and

Property Details

Property History:

The property was part of the original 36 square miles of the City of San Antonio and zoned "D" Apartment District and "K" Commercial District. The property was rezoned by Ordinance 79329, dated December 16, 1993 from "D" to the "R-2" Two-Family Residence District and from "K" to the "B-3 CC" Business District with Special City Council approval for a Pet Cemetery. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-2" Two-Family Residence District and "B-3 CC" Business District with Special City Council approval for a Pet Cemetery converted to the "RM-4" Residential Mixed District and "C-3 S" General Commercial District with a Specific Use Authorization of a Pet Cemetery. The property was rezoned by Ordinance 2008-12-04-1128, dated December 4, 2008 to the current "AE-1" and "AE-2" Arts and Entertainment District.

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: "R-4"

Current Land Uses: Cemetery

Direction: South

Current Base Zoning: "AE-2"

Current Land Uses: Residential

Direction: East

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

Current Land Uses: Auto Body Shop

Direction: West

Current Base Zoning: "AE-1 S" and "AE-2"

Current Land Uses: Commercial

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: West Commerce Street

Existing Character: Primary Arterial B

Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.

Routes Served: 25, 225

Traffic Impact: “IDZ” zoning - exempt from TIA requirements. “D” zoning - exempt from TIA requirements. Recommend that driveway queuing be analyzed to ensure that queues do not spill back into public right-of-way. Commerce is identified on the City’s Major Thoroughfare Plan as (Primary Arterial Type B 70’ 120’ ROW). ROW dedication and improvement may be required. ROW dedication and improvement may be required along Montana.

Parking Information: The minimum parking requirement for single-family dwellings is 1 space per unit.

ISSUE:
None.

ALTERNATIVES:

Current: The "AE-1" and "AE-2" Districts are designed to support existing arts and entertainment venues and promote the creation of additional venues and supporting uses. These special zoning districts are appropriate where existing arts and entertainment venues are adjacent to areas with high building and lot vacancy rates where infill development and redevelopment is desired. By creating a distinct area for arts and entertainment venues and supporting uses, this zoning district allows a community to capitalize on nearby venues and draw visitors into the community. The arts and entertainment districts facilitate infill development and redevelopment by creating a consistent pattern of zoning, creating certainty about the form and function of future development and creating an identity that may be utilized to attract investment. The arts and entertainment districts include four (4) unique districts designed to accommodate a range of existing conditions and desired outcomes. All of the arts and entertainment districts require quality building design and materials and a pedestrian-oriented, mixed-use environment.

Proposed: The proposed "IDZ" 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. The "IDZ" calls out uses for eleven (11) dwelling units.

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 recommends Denial with an Alternate Recommendation for “IDZ-2” for 10 dwelling units.

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 Downtown Neighborhood Plan and is currently designated as “Mixed Use” and “Residential” in the Denver Heights future land use component of the plan. The requested “IDZ-2” base zoning district for eleven (11) dwelling units is not consistent with the future land use designation and would require a text amendment to the plan. The applicant is amending to 10 units which would not require a plan amendment.

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 with the proposed amendment to 10 units.

3. Suitability as Presently Zoned:

The current “AE-1” Arts and Entertainment District and “AE-2” Arts and Entertainment District are an appropriate zoning for the property and surrounding area. The proposed amendment to “IDZ-2” would allow ten (10) single-family dwellings.

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 amendment to 10 units does not appear to conflict with the following goals, principles, and objectives of the Downtown Neighborhood Plan:

Geographically balance businesses, entertainment, community facilities, arts, culture and residential projects to enhance downtown’s urban character. Create design standards and a model downtown neighborhood.

Create urban neighborhoods and increase the number of residents living downtown.

6. Size of Tract:

The subject property is 0.3825 acres, which could reasonably accommodate eleven (11) single-family dwellings.

7. Other Factors:

Applicant intends to amend the request to build 10 single family dwellings.

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 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 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.