



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 21, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2022-10700120

**SUMMARY:**

**Current Zoning:** “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 four (4) residential units and professional offices

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 21, 2022. This case is continued from the June 7, 2022 hearing.

**Case Manager:** Ann Benavidez, Planner

**Property Owner:** K/T Texas Holding, LLC

**Applicant:** Terramark Urban Homes

**Representative:** Scott Price

**Location:** 711 Montana Street

**Legal Description:** the South 121 feet of Lot 19 and the north 46.4 feet of Lot 19, Block 109, NCB 1386

**Total Acreage:** 0.1389 Acres

**Notices Mailed****Owners of Property within 200 feet:** 37**Registered Neighborhood Associations within 200 feet:** Denver Heights**Applicable Agencies:** None**Property Details****Property History:**

The subject property is currently zoned "AE-2 AHOD" Arts and Entertainment Airport Hazard Overlay District. The property was part of the original 36 square miles of the City of San Antonio and originally zoned "D" Apartment District. The property was rezoned by Ordinance 79329 to "R-2" Two-Family Residence District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned "R-2" Two-Family Residence District converted to "RM-4" Residential Mixed District. The property was rezoned by Ordinance 2008-12-04-1128 to the current "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:** "AE-1"**Current Land Uses:** Vacant**Direction:** South**Current Base Zoning:** "AE-2"**Current Land Uses:** Residential Dwelling**Direction:** East**Current Base Zoning:** "AE-2"**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** "AE-2" "AE-2 S"**Current Land Uses:** Residential Dwelling, AA Collision Center**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

The Arts and Entertainment District is a special district that is used to encourage development patterns that support existing arts and entertainment venues while promoting the creation of additional venues and supporting uses. The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an

overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

**Transportation**

**Thoroughfare:** Montana Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** South Pine Street

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None Known

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

**Routes Served:** 25, 28, 230, 225

**Traffic Impact:** Preliminary Review Only– Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\*

A TIA Report is not required.

**Parking Information:** The minimum parking requirement for a multifamily dwelling is 1.5 spaces per unit.

“IDZ-2” waives the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “AE-2” Arts and Entertainment Districts encourage development patterns that support existing arts and entertainment venues while promoting the creation of additional venues and supporting uses.

Proposed Zoning: “IDZ-2” Medium Intensity Infill Development Zone allows rezoning requests up to 50 units per acre and uses permitted in “C-2” and “O-1.5”. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

This rezoning would permit four (4) dwelling units and professional offices.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is within a ½ mile of the New Braunfels Avenue Premium Transit Corridor and the Commerce-Houston Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial with an Alternate Recommendation of “IDZ-2 AHOD” Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for two (2) dwelling units and professional offices.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

1. **Consistency:** The subject property is located within the Downtown Neighborhood Plan and is currently designated “Residential” 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 find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. The subject property is in a neighborhood comprised predominately of single-family residences. While there are properties zoned “IDZ-2” along Montana Street in proximity to the subject property, there is nothing that exceeds three units.
3. **Suitability as Presently Zoned:** The current “AE-2” Arts and Entertainment District is an appropriate zoning for the property and surrounding area. “IDZ-2” Medium Intensity Infill Development Zone with uses permitted for four (4) dwelling units and professional offices is not an appropriate zoning for the property and surrounding area. The proposed zoning adds a layer of density to the neighborhood that is out of character with the existing single-family 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 request does appear to conflict with the public policy objectives of the Downtown Neighborhood Plan:
  - **Goal 1:** Geographically balance businesses, entertainment, community facilities, arts, culture, and residential projects to enhance downtown’s urban character.

- **East Neighborhood Plan- Long Term Vision:** Enhance the desirability of east neighborhoods as a place to live by providing incentives for housing development and rehabilitation, improving parks, developing neighborhood businesses, enforcing codes related to property neglect and marketing the area.

6. **Size of Tract:** The subject property is 0.1917 Acres, which can reasonably accommodate residential live/work development.
7. **Other Factors:** The applicant intends to develop the property with residential uses, for a total of four (4) dwelling units with professional offices.