



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-1376

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/19/2015

**Title:** ZONING CASE # Z2015032 (District 2): An Ordinance amending the Zoning District Boundary from "C-2 NCD-9 RIO-1 AHOD" Commercial Westfort Alliance Neighborhood Conservation River Improvement Overlay Airport Hazard Overlay District and "C-2 NCD-9 RIO-1 UC-2 AHOD" Commercial Westfort Alliance Neighborhood Conservation River Improvement Overlay Broadway Urban Corridor Airport Hazard Overlay District to "IDZ NCD-9 RIO-1 AHOD" Infill Development Zone Westfort Alliance Neighborhood Conservation River Improvement Overlay Airport Hazard Overlay District with Multi-Family Residences not to exceed 175 units an acre and "IDZ NCD-9 RIO-1 UC-2 AHOD" Infill Development Zone Westfort Alliance Neighborhood Conservation River Improvement Overlay Broadway Urban Corridor Airport Hazard Overlay District with Multi-Family Residences not to exceed 175 units an acre on Lots 7, 8, 9, 10 and the north 25 feet of Lot 11 and the west 50 feet of the south 25 feet of Lot 11 and the west 50 feet of Lot 12 and the south 25 feet of the east 50 feet of Lot 11 and the east 50 feet of Lot 12, Block 33, NCB 1763 located at 100 Appler, 117 and 121 Alling. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015-032 Location Map, 2. Z2015032\_Site Plan, 3. Z2015032 Zoning Commission Minutes, 4. DRAFT ORDINANCE, 5. Ordinance 2015-02-19-0130

Date	Ver.	Action By	Action	Result
2/19/2015	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**SUBJECT:**

Zoning Case Z2015032

**SUMMARY:**

**Current Zoning:** "C-2 NCD-9 RIO-1 AHOD" Commercial Westfort Alliance Neighborhood Conservation River Improvement Overlay Airport Hazard Overlay District and "C-2 NCD-9 RIO-1 UC-2 AHOD" Commercial Westfort Alliance Neighborhood Conservation River Improvement Overlay Broadway Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "IDZ NCD-9 RIO-1 AHOD" Infill Development Zone Westfort Alliance Neighborhood Conservation River Improvement Overlay Airport Hazard Overlay District with Multi-Family Residences not to exceed 175 units an acre and "IDZ NCD-9 RIO-1 UC-2 AHOD" Infill Development Zone Westfort Alliance Neighborhood Conservation River Improvement Overlay Broadway Urban Corridor Airport Hazard Overlay

District with Multi-Family Residences not to exceed 175 units an acre

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 16, 2014

**Case Manager:** Brenda V. Martinez, Planner

**Property Owner:** North Alamo Properties, LLC (Victor Andonie)

**Applicant:** North Alamo Properties, LLC (Victor Andonie)

**Representative:** Steve Lin

**Location:** 100 Appler, 117 and 121 Alling

**Legal Description:** Lots 7, 8, 9, 10 and the north 25 feet of Lot 11 and the west 50 feet of the south 25 feet of Lot 11 and the west 50 feet of Lot 12 and the south 25 feet of the east 50 feet of Lot 11 and the east 50 feet of Lot 12, Block 33, NCB 1763

**Total Acreage:** 0.6895

**Notices Mailed**

**Owners of Property within 200 feet:** 20

**Registered Neighborhood Associations within 200 feet:** Downtown Residents Association

**Planning Team:** Westfort Alliance Neighborhood Plan - 14

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The property is located within the City Limits as they were recognized in 1938, and was originally zoned “J” Commercial District. In a 1999 case, the property was rezoned to “B-2” Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “C-2” Commercial District.

The property owner is proposing to construct a multi-family development which will consist of 120 dwelling units with structured parking.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North and West

**Current Base Zoning:** “C-2” and “C-3”

**Current Land Uses:** Retail Center, Vacant Land, Parking Lot, Car Rentals, and Office

**Direction:** South and East

**Current Base Zoning:** “C-2”

**Current Land Uses:** Catering Business, Single-Family Residence, Office and Vacant Land

**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 majority of the surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

Some of the surrounding properties are located within the Westfort Alliance Neighborhood Conservation District (NCD-9). This overlay zoning district contains design guidelines for new construction as well as rehabilitation of existing residential and multi-family development. Property owners, together with the Department of Planning Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

A portion of the property is located in the "UC-2" Broadway Urban Corridor Overlay District. Properties within 200 feet of the Broadway right-of-way between IH-35 and the city limits of Alamo Heights carry the "UC-2" Broadway Urban Corridor District. The Broadway Urban Corridor regulates setbacks, screening and signage.

### **Transportation**

**Thoroughfare:** Broadway

**Existing Character:** Primary Arterial Type B Street; 3 lanes in each direction with a center turning lane

**Proposed Changes:** None known

**Thoroughfare:** Alling

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** Appler

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** North Alamo Street

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines are the number 9 line, 10 line, 14 line, 209 line and 214 line which operate along Broadway and North Alamo Street.

**Traffic Impact:** "IDZ" is exempt from TIA requirements.

**Parking Information:** Off-street vehicle parking requirements for multi-family residential uses are determined by the total number of dwelling units. Minimum Requirement: 1.5 spaces per unit. Maximum Requirement: 2 spaces per unit.

The "IDZ" Infill Development Zone District eliminates off-street vehicle parking requirements.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning, restricting future land uses to those permissible in the “C-2” zoning district.

**FISCAL IMPACT:**

None. The zoning request is eligible for the Inner City Reinvestment Infill Policy fee waiver. The Development Services Department fees will be reimbursed through grant funding.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) 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 Westfort Alliance Neighborhood Plan area, and is identified as Mixed Use in the Future Land Use component of the Plan. The “IDZ” base zoning district is consistent with the adopted land use designation.

The subject property is also located within the Midtown Brackenridge TIRZ Master Plan, and is identified as part of the Midtown neighborhood urban core, which encourages community retail, services, offices, urban residential, restaurants, and entertainment uses. The “IDZ” base zoning district is consistent with the encouraged development pattern in the 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. The “IDZ” zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. Further, the “IDZ” district includes design criteria intended to create infill development that is proportional to surrounding development.

The subject property is located in close proximity to high-intensity mixed-use redevelopment along Broadway, North Alamo Street, and East Grayson Street, with access to public transit.

**3. Suitability as Presently Zoned:**

The existing “C-2” zoning district is suitable for the subject property. The “C-2” district accommodates commercial and retail uses that are more intensive in character than neighborhood or light commercial, and which generate a greater volume of vehicular or truck traffic. Medium intensity commercial zoning is most appropriate near arterials or major thoroughfares.

**4. Health, Safety and Welfare:**

Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning request. The “IDZ” district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

**5. Public Policy:**

The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement

for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

The existing “C-2” zoning district is not consistent with the adopted “Mixed Use” land use designation.

**6. Size of Tract:**

The subject property is 0.689 acres and appears to be of sufficient size to accommodate the proposed development with the flexibility offered by the “IDZ” district.

**7. Other Factors:**

The subject property is located within the “RIO” River Improvement Overlay District. All new construction plans will be subject to review and approval by the Historic and Design Review Commission.

The subject property is also located within the “NCD-9” Westfort Alliance Neighborhood Conservation District. Compliance with the “NCD-9” design regulations is required for new construction, and will be reviewed for at the plan review/building permit phase.

The subject property is located within the Westfort Alliance Neighborhood Plan area, and is identified as Mixed Use in the Future Land Use component of the Plan. The “IDZ” base zoning district is consistent with the adopted land use designation.

The subject property is also located within the Midtown Brackenridge TIRZ Master Plan, and is identified as part of the Midtown neighborhood urban core, which encourages community retail, services, offices, urban residential, restaurants, and entertainment uses. The “IDZ” base zoning district is consistent with the encouraged development pattern in the plan.