



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-1759

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/20/2020

**Title:** ZONING CASE Z-2019-10700284 (Council District 1): Ordinance amending the Zoning District Boundary from "C-3NA RIO-2 AHOD" General Commercial Nonalcoholic Sales River Improvement Overlay Airport Hazard Overlay District and "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District to "IDZ-3 RIO-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Bar/Tavern without cover charge 3 or more days per week, Nightclub with cover charge 3 or more days per week, Microbrewery, Winery with bottling, Extended stay hotel/motel, Timeshares or corporate apartment, hotel, massage-parlor, Medical hospital or sanitarium, Studio-sound and recording, Club-private, Office warehouse (flex space) and multi-family dwelling units not to exceed 325 units on Lot 7, Lot 8, Lot 9, Lot 19, Lot 20, Lot 21, Lot 28, Lot 29, north 15 feet of Lot 30, south 15 feet of Lot 31, Lot 32, Lot 33, Lot 34, Lot 35, Lot 36, Lot 40, Lot 41, and Lot 42, Block 4, NCB 6792, located at 813 East Myrtle Street, 818 East Locust Street, 1212, and 1216-1218 E. Euclid Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2020-02-20-0120

| Date      | Ver. | Action By              | Action                | Result |
|-----------|------|------------------------|-----------------------|--------|
| 2/20/2020 | 1    | City Council A Session | Motion to Appr w Cond | Pass   |

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700284

**SUMMARY:**

**Current Zoning:** "C-3NA RIO-2 AHOD" General Commercial Nonalcoholic Sales River Improvement Overlay Airport Hazard Overlay District and "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District

**Requested Zoning:** "IDZ-3 RIO-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Bar/Tavern without cover charge 3 or more days per week, Nightclub with cover charge 3 or more days per week, Microbrewery, Winery with bottling, Extended stay hotel/motel, Timeshares or corporate apartment, hotel, massage-parlor, Medical hospital or sanitarium, Studio-sound and recording, Club-private, Office warehouse (flex space) and multi-family dwelling units not to exceed 325 units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2019. This case is continued from the December 3, 2019 hearing.

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Millrace Properties LLC

**Applicant:** Land Use Solutions, LLC

**Representative:** Land Use Solutions, LLC

**Location:** 813 East Myrtle Street, 818 East Locust Street, 1212, and 1216-1218 East Euclid Avenue

**Legal Description:** Lot 7, Lot 8, Lot 9, Lot 19, Lot 20, Lot 21, Lot 28, Lot 29, north 15 feet of Lot 30, south 15 feet of Lot 31, Lot 32, Lot 33, Lot 34, Lot 35, Lot 36, Lot 40, Lot 41, and Lot 42, Block 4, NCB 6792

**Total Acreage:** 1.5339

**Notices Mailed**

**Owners of Property within 200 feet:** 47

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association

**Applicable Agencies:** Fort Sam Houston; Solid Waste Management

**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "J" Commercial District. The property was rezoned by Ordinance 83331, dated December 14, 1995 from "J" Commercial District to "B-3NA" Business District, Nonalcoholic Sales and "I-1" Light Industrial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District, "B-3NA" Business District, Nonalcoholic Sales converted to the current "C-3NA" General Commercial Nonalcoholic Sales District and "I-1" Light Industrial District converted to the current "I-1" General Industrial 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:** "C-3NA"

**Current Land Uses:** Office

**Direction:** South

**Current Base Zoning:** "IDZ" with single-family residential uses (attached townhouses) not to exceed 25 units per acre and "C-3NA"

**Current Land Uses:** Multi-Family and vacant commercial building

**Direction:** East

**Current Base Zoning:** "MF-50"  
**Current Land Uses:** Parking Lot

**Direction:** West  
**Current Base Zoning:** "C-3NA" and "R-6"  
**Current Land Uses:** Clothing retail and Single-Family Dwelling

**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.

"RIO"

All 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.

**Transportation**

**Thoroughfare:** East Euclid Avenue  
**Existing Character:** Local  
**Proposed Changes:** None Known

**Thoroughfare:** East Locust Street  
**Existing Character:** Local  
**Proposed Changes:** None Known

**Thoroughfare:** East Myrtle Street  
**Existing Character:** Local  
**Proposed Changes:** None Known

**Thoroughfare:** East Elmira Street  
**Existing Character:** Local  
**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.  
**Routes Served:** 8, 11, 20

**Traffic Impact:** TIA report is not required. IDZ rezoning requests waive this requirement.

**Parking Information:** The minimum parking requirement for multi-family is 1.5 spaces per unit. Common retail parking requirement is 1 space for every 300 square feet. "IDZ-3" allows 50% reduction in parking requirements.

**ISSUE:**  
None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "C-3NA" General Commercial Nonalcoholic Sales District

permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets. District regulations within the "C-3NA" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

The present zoning district designation of "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. 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" Infill Development Zone after November 1, 2018 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 "C-2" Commercial District, Bar/Tavern without cover charge 3 or more days per week, Nightclub with cover charge 3 or more days per week, Microbrewery, Winery with bottling, Extended stay hotel/motel, Timeshares or corporate apartment, hotel, massage-parlor, Medical hospital or sanitarium, Studio-sound and recording, Club-private, Office warehouse (flex space) and multi-family dwelling units not to exceed 325 units

**FISCAL IMPACT:**

None.

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

The subject property is within the Midtown Regional Center and located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and 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 Midtown Area Regional Center Plan and is currently designated as "Regional Mixed Use" in the future land use component of the plan. The requested "IDZ-3" 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 “C-3NA” General Commercial Nonalcoholic Sales District and “I-1” General Industrial District are appropriate zoning for the properties and surrounding area. The proposed “IDZ-3” High Intensity Infill Development Zone District and its specified uses are appropriate uses in a predominantly “Regional Mixed Use” area.

### **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 Midtown Area Regional Center Plan:

- Maintain buildings with exemplary historic character.
- Improve sidewalks and trails to safely connect regional destinations, neighborhoods, transit, employment, shopping, schools, and green spaces.

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.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 1e, because it allows zero setbacks for commercial and multi-family developments.

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

The subject property is 1.5339 acres, which could reasonably accommodate multi-family 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.

This property is in the River Improvement Overlay District (RIO-2). Any proposed exterior alterations associated with the proposal will require approval from the Historic and Design Review Commission (HDRC). Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. An application for conceptual approval was submitted and the request was heard by the HDRC on November 20, 2019. The

HDRC conceptually approved with staff stipulations which in regards to the sidewalks, height transitions, façade separations, window specifications, and future required plans.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. Demolition permit applications have been reviewed and approved by OHP to accommodate the proposed use. Demolition of structures on 813/825 E Myrtle, 818 E Locust, and 1212 E Euclid were approved 8/28/19. 1216/1218 E Euclid structures were approved 9/12/19.