



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-1619

**Type:** Zoning Case

**In control:** City Council A Session

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

**Title:** ZONING CASE Z-2019-10700329 (Council District 2): Ordinance amending the Zoning District Boundary from "C-2 RIO-1 UC-2 NCD-9 AHOD" Commercial River Improvement Overlay Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District and "C-2 RIO-1 NCD-9 AHOD" Commercial River Improvement Overlay Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District to "C-2 IDZ RIO-1 UC-2 NCD-9 AHOD" Commercial Infill Development Zone River Improvement Overlay Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District and "C-2 IDZ RIO-1 NCD-9 AHOD" Commercial Infill Development Zone River Improvement Overlay Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District (all overlays remain the same) on the south 45 feet of Lot 10, Lot 11 and Lot 12, Block 27, NCB 1764, located at 519 East Josephine Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2020-02-20-0135

Date	Ver.	Action By	Action	Result
2/20/2020	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700329

**SUMMARY:**

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

**Requested Zoning:** "C-2 IDZ RIO-1 UC-2 NCD-9 AHOD" Commercial Infill Development Zone River Improvement Overlay Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District and "C-2 IDZ RIO-1 NCD-9 AHOD" Commercial Infill Development Zone River Improvement Overlay Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District (all overlays remain the same)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 21, 2020

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Shashikant Patel

**Applicant:** Bexar Josephine, LLC

**Representative:** Kaufman & Killen, Inc.

**Location:** 519 East Josephine Street

**Legal Description:** the south 45 feet of Lot 10, Lot 11 and Lot 12, Block 27, NCB 1764

**Total Acreage:** 0.330

**Notices Mailed**

**Owners of Property within 200 feet:** 17

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

**Applicable Agencies:** Texas Department of Transportation, Fort Sam Houston, Planning Department, Solid Waste Department

**Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned “B-2” Business District. The subject property converted from “B-2” to “C-2” Commercial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001.

**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-2”

**Current Land Uses:** Law office

**Direction:** East

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Alamo Colleges District Support Building

**Direction:** South

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Vacant lot

**Direction:** West

**Current Base Zoning:** “C-2”

**Current Land Uses:** Apparel and accessory store

**Overlay and Special District Information:**

**"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.

**"UC"**

The Urban Corridor overlay was established because there are many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of "UC" serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

**"NCD"**

The Westfort Alliance Neighborhood Conservation District (NCD-9) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and 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.

**"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:** Broadway Street

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** None Known

**Thoroughfare:** East Josephine Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes Served: 9, 10, 14, 20, 209, and 214

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements. "IDZ" as an overlay waives parking requirements.

**Parking Information:** The parking minimum for a bar, lounge, tavern, nightclub or dance hall is 1 per 100 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-2” Commercial District.

**Current:** The present zoning district designation of "C-2" Commercial District accommodates commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. This district permits 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. This district promotes a broad range of commercial operations and services necessary for large regions of the city, providing community balance.

**Proposed:** The proposed “C-2 IDZ” overlay will allow for the “C-2” uses noted above and the “IDZ” as an overlay waives parking requirements.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 and is currently designated as “Regional Mixed Use” in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern.

**3. Suitability as Presently Zoned:**

The existing “C-2” Commercial base zoning is an appropriate zoning district for the surrounding area. The base zoning and overlays remain the same. The proposed “IDZ” overlay waives the minimum parking requirement.

**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:

- Goal 6 Improve Pedestrian and Transit-Oriented Retail and Services: Building on the unique character and strengths in each retail corridor, support more diverse options, including small-scale markets, affordable healthy food, entertainment, and other amenities for the Midtown Area’s diverse residents and visitors.
  - Encourage building maintenance and renovations to beautify commercial corridors and create

walkable, active street areas next to buildings.

- Goal 7 Stimulate a Thriving Economy: Create more employment opportunities to continue attracting a diverse residential population.
  - Continue to improve the Midtown Area’s great assets and public spaces, such as the Broadway Cultural Corridor, to attract more employers.
- Goal 11 Grow Unique Destinations: Support other thriving retail, entertainment, and cultural destinations that already have a community and successful identify, such as the Pearl District, St. Mary’s Street, and Main Street.

The request for “IDZ” as an overlay is for the purpose of waiving the parking requirements.

- 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 meets the Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410.
- 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 4a, because it preserves and revitalizes housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 1d, because it develops criteria and procedures for infill development which will enhance the character of neighborhoods.

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

The subject property is 0.330 acres, which would adequately support Commercial use.

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

This property is located within the River Improvement Overlay (RIO-1 district). Any future exterior modifications or new construction will require written approval from the Office of Historic Preservation. Approval of a zoning change does not supersede any requirements for design review outlined in Article VI of the Unified Development Code.

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.