



# City of San Antonio

## Agenda Memorandum

**File Number:**21-4781

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**Agenda Item Number:** 5.

**Agenda Date:** 7/20/2021

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2021-10700118 CD

**SUMMARY:**

**Current Zoning:** "C-3NA RIO-1 UC-2 NCD-9 AHOD" General Commercial Nonalcoholic Sales River Improvement Overlay Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "C-1 CD RIO-1 UC-2 NCD-9 AHOD" Light Commercial River Improvement Overlay Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for a Mobile Food Court

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 20, 2021. This case was continued from the June 15, 2021 hearing.

**Case Manager:** Azadeh Sagheb, Senior Planner

**Property Owner:** Ramco Stamping USA Inc.

**Applicant:** Ramco Stamping USA Inc.

**Representative:** Patrick Christensen

**Location:** 2202 Broadway

**Legal Description:** 0.3684 acres out of NCB A-6

**Total Acreage:** 0.3684

**Notices Mailed**

**Owners of Property within 200 feet:** 12

**Registered Neighborhood Associations within 200 feet:** Westfort Alliance Neighborhood Association

**Applicable Agencies:** TxDOT, DSD Planning Department

**Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned "J" Commercial District. The property was rezoned from "J" Commercial District to "B-3 NA" Business Non-alcoholic Sales District by Ordinance 90004, dated June 24, 1999. The subject property converted from "B-3 NA" Business Non-alcoholic Sales District to "C-3 NA" General Commercial Non-alcoholic Sales 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:** Liquor Store, Professional office, Restaurant

**Direction:** East

**Current Base Zoning:** "IDZ"

**Current Land Uses:** Auto Rental Agency

**Direction:** West

**Current Base Zoning:** "UZROW", "C-2 IDZ"

**Current Land Uses:** Arterial Road, Corporate Campus

**Direction:** South

**Current Base Zoning:** "UZROW", "C-2CD" & "IDZ"

**Current Land Uses:** Local Street, Auto Rental Agency, Vacant Lot

**Overlay and Special District Information:**

"RIO"

The "RIO-1" River Improvement Overlay District is an overlay district 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:** Arterial

**Proposed Changes:** None

**Thoroughfare:** Appler Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Route Served:** 9, 10, 14, 20, 209, 214

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. Arterials require min. 48' pavement - 24' from centerline. Per UDC Table 506-3, note 5 bike facilities are required on all arterials along with sidewalks. ROW dedication and improvement may be required along Appler and Alamo.

**Parking Information:** The minimum parking requirement for a Mobile Food Court is 2 per mobile food establishment unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The "C-3NA" districts are intended to provide for more intensive commercial uses than those located within the "NC", "C-1", or "C-2" zoning districts. "C-3" uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of uses include: amusement/theme parks, movie theaters, auto repair, auto sales, hotels, and home improvement centers. Outdoor operations and display shall be permitted in areas which are screened as provided in Section 35-510 of the Unified Development Code.

The current zoning district designation of "C-3NA" is identical to "C-3" districts, except that the sale of alcoholic beverages is prohibited.

**Proposed:** The proposed "C-1 CD" will provide less intense commercial uses compared to the existing "C-3NA" zoning district. Building size is limited to 5,000 square feet. Examples of permitted uses include retail furniture sales, grocery store, retail office equipment and supply, and retail rug or carpet sales. No outside storage or display of goods shall be permitted except for outdoor dining.

The "CD" Conditional Use will allow all "C-1" uses in addition to Mobile Food Court, pursuant to a site plan.

### **FISCAL IMPACT:**

None.

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

The property is within a Regional Center and is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Midtown Regional Center Area Plan and is currently designated as “Neighborhood Mixed Use”. The requested “C-1” 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. The proposed use is consistent with the establishment pattern of the properties to the north zoned “C-2” Commercial District.

**3. Suitability as Presently Zoned:**

The current “C-3 NA” General Commercial Nonalcoholic Sales District is an appropriate zoning for the property situated along a commercial corridor. The requested “C-1 CD” will create a less intense district which is also appropriate for the site and the surrounding area. The requested “CD” Conditional Use allows consideration of a Mobile Food Court; a use allowed by right in the “C-2” Commercial District.

**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 Regional Center Area Plan:

**Goals:**

**Goal 1:** Preserve Midtown’s Distinct Character

- Preserve Midtown’s Essential character-defining elements: the diversity of people and the unique character of individual places and neighborhoods.

**Goal 4:** Support Unique, Mixed Activity Uses

- Accommodate growth while preserving distinct characteristics of each part of Midtown while providing thoughtful transitions between uses

**Goal 7:** Stimulate a Thriving Economy

- Create more employment opportunities to continue attracting a diverse residential population.

**6. Size of Tract:**

The subject property is 0.3684 acres, which could reasonably accommodate commercial uses.

**7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would

be compatible with adjacent land uses under given conditions.

The applicant intends change the zoning from “C-3NA” General Commercial Nonalcoholic Sales District to “C-1 CD” Light Commercial with a Conditional Use for a Mobile Food Court to be able to serve beer/wine.

This property is designated in the RIO-1. Any proposed exterior alterations, new construction or site modifications associated with the proposal will require approval from the Office of Historic Preservation. 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. To date, no application has been made to the Office of Historic Preservation for this project.