



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-4288

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/17/2017

**Title:** ZONING CASE # Z2017155 (Council District 2): An Ordinance amending the Zoning District Boundary from "C-2 IDZ RIO-2 UC-2 AHOD" Commercial Infill Development Zone Overlay River Improvement Overlay Urban Corridor Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District, "C-3 NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District, "C-3 RIO-2 UC-2 AHOD" General Commercial River Improvement Overlay Urban Corridor Airport Hazard Overlay District, "O-1 IDZ AHOD" Professional Office Infill Development Zone Overlay Airport Hazard Overlay District, "MF-33 RIO-2 UC-2 AHOD" Multi-Family River Improvement Overlay Urban Corridor Airport Hazard Overlay District, "1-1 AHOD" General Industrial Airport Hazard Overlay District, "1-1 RIO-2 UC-2 AHOD" General Industrial River Improvement Overlay Urban Corridor Airport Hazard Overlay District, and "IDZ RIO-2 UC-2 AHOD" Infill Development Zone Overlay River Improvement Overlay Urban Corridor Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Multi-Family Dwellings at a maximum density of 75 units per acre to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District and "IDZ RIO-2 UC-2 AHOD" Infill Development Zone River Improvement Overlay Urban Corridor Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "C-3" General Commercial, and Multi-Family uses (apartments and/or condominiums) not to exceed 100 units per acre; as well as the following uses: Live-Work Units; Bar and/or tavern with cover charge 3 or more days per week; Nightclub with cover charge 3 or more days per week; Alcohol beverage manufacture or brewery; Hotel taller than 35 feet; Beverage manufacture non-alcohol (including manufacturing and processing); Entertainment Venue (outdoor); Live Entertainment with and without cover charge 3 or more days per week (not including Food Service Establishments); Food Service Establishments with cover charge 3 or more days per week (with or without accessory live entertainment); Beverage Manufacturing or Processing with Storage and Repair of Service Vehicles and Outside Storage (Open with No Screening and including Shipping Container Storage) in the entire project area on 7.968 acres out of NCB 487, NCB 965, NCB 982, NCB 984, NCB 1765 and NCB 1766, generally located along N. Alamo Street, Carson Street and Austin Street. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Site Plan, 2. Location Map, 3. Zoning Minutes, 4. 17-4288 Z2017155- Draft Ordinance.pdf, 5. Ordinance 2017-08-17-0582

Date	Ver.	Action By	Action	Result
8/17/2017	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2017155

## **SUMMARY:**

**Current Zoning:** “C-2 IDZ RIO-2 UC-2 AHOD” Commercial Infill Development Zone Overlay River Improvement Overlay Urban Corridor Airport Hazard Overlay District, “C-3 AHOD” General Commercial Airport Hazard Overlay District, “C-3 NA AHOD” General Commercial Nonalcoholic Sales Airport Hazard Overlay District, “C-3 RIO-2 UC-2 AHOD” General Commercial River Improvement Overlay Urban Corridor Airport Hazard Overlay District, “O-1 IDZ AHOD” Professional Office Infill Development Zone Overlay Airport Hazard Overlay District, “MF-33 RIO-2 UC-2 AHOD” Multi-Family River Improvement Overlay Urban Corridor Airport Hazard Overlay District, “I-1 AHOD” General Industrial Airport Hazard Overlay District, “I-1 RIO-2 UC-2 AHOD” General Industrial River Improvement Overlay Urban Corridor Airport Hazard Overlay District, “IDZ RIO-2 UC-2 AHOD” Infill Development Zone Overlay River Improvement Overlay Urban Corridor Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and Multi-Family Dwellings at a maximum density of 75 units per acre

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in “RM-4” Residential Mixed District, “C-3” General Commercial, and Multi-Family uses (apartments and/or condominiums) not to exceed 100 units per acre; as well as the following uses: Live-Work Units; Bar and/or tavern with cover charge 3 or more days per week; Nightclub with cover charge 3 or more days per week; Alcohol beverage manufacture or brewery; Hotel taller than 35 feet; Beverage manufacture non-alcohol (including manufacturing and processing); Entertainment Venue (outdoor); Live Entertainment with and without cover charge 3 or more days per week (not including Food Service Establishments); Food Service Establishments with cover charge 3 or more days per week (with or without accessory live entertainment); and Beverage Manufacturing or Processing with Storage and Repair of Service Vehicles and Outside Storage (Open with No Screening including Shipping Container Storage) and "IDZ RIO-2 UC-2 AHOD" Infill Development Zone River Improvement Overlay Urban Corridor Airport Hazard Overlay District with uses permitted in “RM-4” Residential Mixed District, “C-3” General Commercial, and Multi-Family uses (apartments and/or condominiums) not to exceed 100 units per acre; as well as the following uses: Live-Work Units; Bar and/or tavern with cover charge 3 or more days per week; Nightclub with cover charge 3 or more days per week; Alcohol beverage manufacture or brewery; Hotel taller than 35 feet; Beverage manufacture non-alcohol (including manufacturing and processing); Entertainment Venue (outdoor); Live Entertainment with and without cover charge 3 or more days per week (not including Food Service Establishments); Food Service Establishments with cover charge 3 or more days per week (with or without accessory live entertainment); and Beverage Manufacturing or Processing with Storage and Repair of Service Vehicles and Outside Storage (Open with No Screening including Shipping Container Storage)

## **BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 18, 2017. This case was postponed from the June 20, 2017 Zoning Commission hearing.

**Case Manager:** Nyliah Acosta

**Property Owner:** Graystreet 1600 Broadway, LLC; KEM Texas, Ltd.; Graystreet Broadway, LP; Graystreet 1706 Broadway, LP; Clear Water Interests, LP; Culligan Southwest, Inc; Excel Enterprize; Thomas Andrew Casias

**Applicant:** Graystreet Broadway, LP

**Representative:** Brown & Ortiz, PC

**Location:** Generally located along N. Alamo Street, Carson Street and Austin Street

**Legal Description:** 7.968 acres out of NCB 487, NCB 965, NCB 982, NCB 984, NCB 1765 and NCB 1766

**Total Acreage:** 7.968

**Notices Mailed**

**Owners of Property within 200 feet:** 55

**Registered Neighborhood Associations within 200 feet:** Government Hill Alliance Neighborhood Association and Downtown Residents Association

**Applicable Agencies:** Office of Historic Preservation, Department of Planning and Community Development

**Property Details**

**Property History:** The subject properties were included in the original 36 square miles of the City of San Antonio and were zoned “K” Commercial District, “J” Commercial District and “D” Apartment District. A 1967 case, Ordinance 35568, rezoned the property generally located at North Alamo and Casa Blanca, legally described as Lot 38, NCB 965 from “D” Apartment District to “B-3” Business District. A 1969 case, Ordinance 37481, rezoned the property located at 1630 Broadway Street, from “D” Apartment District to “B-3” Business District. A 1977 case, Ordinance 48492, changed the zoning of the property located at 1802 North Alamo Street from “D” Apartment District to “B-3” Business District. Upon adoption of the 2001 Unified Development Code, the previous “K” Commercial district converted to the current “I-1” General Industrial District. The previous “J” Commercial District converted to the current “I-1” General Industrial District. The previous “D” Apartment District converted to the current “MF-33” Multi-Family District and the previous “B-3” Business District converted to the current “C-3” General Commercial District. Later a 2008 case, Ordinance 2008-11-20-1065, rezoned several properties located along North Alamo Street to “IDZ” with uses permitted in “C-2” Commercial and Multi-Family Dwellings at maximum density of 75 units per acre. In 2012, Ordinance 2012-06-07-0415 rezoned the property located at 128 Mason Street from “MF-33” Multi-Family to “O-1 IDZ” Professional Office Infill Development Zone Overlay District. Finally, a 2013 case, Ordinance 2013-02-07-0102, rezoned the property located at 1702 Broadway Street to “C-2 IDZ” Commercial Infill Development Zone Overlay District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** RM-6, MF-33, IDZ, I-1,

**Current Land Uses:** Vacant Lot, Parking Lot, Office, Music Academy

**Direction:** West

**Current Base Zoning:** IDZ, I-1, C-1 and C-3

**Current Land Uses:** Apartments, Parking Lot, San Antonio Independent School District Facility, Auto Repair, Auto Sales, Office

**Direction:** South

**Current Base Zoning:** I-1

**Current Land Uses:** Auto, Restaurant, Parking Lots, Multi-Family, Office and Movers

**Direction:** East

**Current Base Zoning:** R-6, RM-5, MF-33, O-1, C-1 and IDZ

**Current Land Uses:** Vacant Lot, Single-Family Residences, Multi-Family, San Antonio Independent School District Facilities

**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.

**Transportation**

**Thoroughfare:** North Alamo Street

**Existing Character:** Minor Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Carson Street

**Existing Character:** Collector

**Proposed Changes:** None Known

**Thoroughfare:** Austin Street

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Thoroughfare:** Broadway

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA route 9 and 20 are within walking distance from the subject properties

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. Infill Development (IDZ) is exempt from TIA requirements

**Parking Information:** The "IDZ" Infill Development Zone District waives off-street vehicle parking requirements

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center and is within ½ a mile of the Premium Transit Corridor on Broadway

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval.

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

**1. Consistency:**

The property is located within the Government Hill Neighborhood Plan, and is currently designated as “Mixed Use” in the future land use component of the plan. The requested “IDZ” Infill Development Zone base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. This project is in conjunction with case Z2017134, Z2017166, and Z2017184 to rezone a large area for a mixed use project. This project will integrate and blend higher density residential, with commercial, entertainment and other land uses. In addition, the requested “IDZ” Infill Development Zone zoning district requires urban design standards in order to maintain a neighborhood commercial scale, promote pedestrian activity and maintain the unique character of the center. 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.

**3. Suitability as Presently Zoned:**

With the appropriate density and intensity, the current "C-2 ", C-3 "O-1", and "MF-33" base zoning districts are appropriate for the subject property’s location; however, “O-2” and “I-1” are not. The requested “IDZ” will allow for a mixed use development that is compatible with the surrounding area and will allow for economic growth.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The subject property is located along the Broadway corridor, a proposed future rapid transit corridor, and within the Midtown Regional Center as outlined in the SA Tomorrow Comprehensive Plan. Additionally, the site is within the Midtown-Brackenridge TIRZ Master Plan. The subject properties currently possess a variety of zoning districts but are nearly uniform in a mixed use future land use designation, with the exception of the SAISD bus facility which is designated public institutional future land use. Public institutional future land use is commonly designated for publicly owned property but does not anticipate private development and provides no guidance on appropriate zoning districts, thereby necessitating the proposed amendment to mixed use.

Relevant Goals, Policies and Actions of the Comprehensive Plan may include:

GCF Goal 1: Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.

GCF P8: Continue to focus revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers, and transit corridors.

GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.

GCF P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be

converted to residential or mixed-use.

GCF A5: Modify the UDC to reduce barriers to higher density development within a 1/2-mile of high capacity transit corridors.

H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

H P11: Encourage and incentivize new housing development projects to provide a mixture of housing types, sizes and prices.

H P18: Encourage housing to be built with, near or adjacent to retail uses.

H P20: Incentivize high-density housing in regional centers and along major public transit routes where appropriate.

H P22: Redevelop vacant and underutilized properties on transit corridors into stand alone or mixed-use higher-density housing.

H P30: Ensure infill development is compatible with existing neighborhoods.

H P42: Encourage the development of housing for seniors in walkable areas and near community amenities such as parks, recreation centers and senior centers.

The subject property is situated in Urban Core and Mixed Use Transition character areas of the Midtown-Brackenridge TIRZ master plan, recognizing the distinct nature of the Broadway Corridor and the transitional area to the adjoining residential neighborhood. A mix of low-density residential, high-density residential, commercial, and mixed use future land use classifications are found throughout the surrounding area.

The use of the IDZ zoning as a tool to provide flexibility in the redevelopment of these sites is appropriate for this context and is generally consistent with the policies of the SA Tomorrow Comprehensive Plan. The majority of the uses proposed are compatible with existing surrounding developments such as the Pearl Brewery, the Mosaic, and other mixed use projects along Broadway. In addition, the project should respect the Physical Master Plan element of the Midtown-Brackenridge TIRZ Master Plan, which describes character-defining elements of different areas within the plan such as building heights, location of parking, landscape character, and façade location (build-to zone).

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

The subject property totals 7.968 acres in size, which will reasonably accommodate the uses permitted in “IDZ” Infill Development Zone District.

## **7. Other Factors:**

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.

