



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-3644

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/18/2020

**Title:** ZONING CASE Z-2020-10700045 (Council District 1): Ordinance amending the Zoning District Boundary from "C-2P UC-6 AHOD" Commercial Pedestrian San Pedro Urban Corridor Airport Hazard Overlay District to "IDZ-1 UC-6 AHOD" Low Intensity Infill Development Zone San Pedro Urban Corridor Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District, a bar, and a microbrewery on Lot 6, Lot 7, the north 4.5 feet of Lot 5, the north 44.84 feet of Lot 4, and the south 51.84 feet of Lot 5, Block 9, NCB 763, located at 515 San Pedro Avenue and 523 San Pedro Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Draft Ordinance, 4. Zoning Minutes, 5. Ordinance 2020-06-18-0428

Date	Ver.	Action By	Action	Result
6/18/2020	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2020-10700045

**SUMMARY:**

**Current Zoning:** "C-2P UC-6 AHOD" Commercial Pedestrian San Pedro Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 UC-6 AHOD" Low Intensity Infill Development Zone San Pedro Urban Corridor Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District, a bar, and a microbrewery

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 5, 2020

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Sam Asvestas

**Applicant:** Patrick Christensen

**Representative:** Patrick Christensen

**Location:** 515 San Pedro Avenue and 523 San Pedro Avenue

**Legal Description:** Lot 6, Lot 7, the north 4.5 feet of Lot 5, the north 44.84 feet of Lot 4, and the south 51.84 feet of Lot 5, Block 9, NCB 763

**Total Acreage:** 0.7453

**Notices Mailed**

**Owners of Property within 200 feet:** 19

**Registered Neighborhood Associations within 200 feet:** Five Points Neighborhood Association

**Applicable Agencies:** Solid Waste Management Department

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. The subject property converted from "J" Commercial District to "I-1" Industrial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001. The subject property was then rezoned from "I-I" Industrial District to "C-2 P" Commercial Pedestrian District by Ordinance 97522, dated April 24, 2003.

**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-2P"

**Current Land Uses:** Barber Shop

**Direction:** South

**Current Base Zoning:** "C-2P"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "C-1"

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** "MF-50"

**Current Land Uses:** Apartments

**Overlay and Special District Information:**

"IDZ"

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.

**“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.

**"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:** San Pedro Avenue

**Existing Character:** Primary Arterial Type B

**Proposed Changes:** None Known

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

**Routes Served:** 4, 95, 96, 97, 204, and 296

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The parking requirement is waived for “IDZ-1.”

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “C-2P” Commercial Pedestrian district accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed:** The proposed “IDZ-1” Limited Density Infill Development Zone District 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. Any use may be permitted within an "IDZ" so long as it complies with the standards of this section. The applicant is utilizing “IDZ-1” to allow for uses permitted in "C-1" Light Commercial District, a bar, and a microbrewery

**FISCAL IMPACT:**

None.

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

The subject property is within the Midtown Area Regional Center and is not within a Premium Transit Corridor.

**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 subject property is located within the Midtown Area Regional Center and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “IDZ-1” 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 of the surrounding area.

**3. Suitability as Presently Zoned:**

The existing “C-2P” Commercial Pedestrian base zoning is appropriate for the surrounding area. The proposed “IDZ-1” is also suitable to the area and provides the opportunity for uses permitted in “C-1” Light Commercial District, a bar, and a microbrewery.

**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 4: Support Unique, Mixed Activity Areas**

- Foster an appropriate mix, density, and orientation of land uses in each part of Midtown to maintain the character of unique places, such as the North St. Mary’s Street music culture.
- Accommodate growth while preserving distinct characteristics of each part of Midtown and providing thoughtful transitions between uses.
- Support unique district cultures in Midtown, such as Lesbian, Gay, Bisexual, Transgender, Queer, Plus cultures on Main Street.

**Goal 10: Pursue Transformative Projects**

- Elevate Midtown’s aesthetic appeal, stimulate economic growth, and meet local needs by transforming vacant properties and older buildings through reuse, redevelopment, or new development.

**Goal 11: Grow Unique Destinations**

- Fortify Midtown destinations with complementary housing, education, employment, entertainment and transportation choices.
- Reinforce the Broadway Cultural Corridor, historic parks, San Antonio River, and San Pedro Springs Creek as places familiar to all San Antonians and welcoming to the world.
- Support other thriving retail, entertainment, and cultural destinations that already have a community and successful identity, such as the Pearl District, St. Mary’s Street, and Main Street.

- Support other corridors (such as Fredericksburg Road, San Pedro Avenue and McCullough Avenue) in building on their best qualities.

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 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 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 Urban Design - Policy 1d, because it develops criteria and procedures for infill development which will enhance the character of neighborhoods.
- The applicant's request the Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.

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

The subject property is 0.7453, which could reasonably accommodate uses permitted in "C-1" Light Commercial District, a bar, and a microbrewery.

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

The proposed rezoning would allow the property owner to pursue uses permitted in "C-1" Light Commercial District, a bar, and a microbrewery on the subject property.