



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-4776

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 7/20/2021

**Title:** (Continued from 06/15/2021) ZONING CASE Z-2021-10700090 (Council District 2): A request for a change in zoning from "C-2 UC-2 RIO-1 NCD-9 AHOD" Commercial Broadway Urban Corridor River Improvement Overlay 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 UC-2 RIO-1 NCD-9 AHOD" Commercial Infill Development Zone Broadway Urban Corridor River Improvement Overlay 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 on the North 10 Feet of Lot 4, Lot 5, Lot 6, the South 45.4 Feet of Lot 9, and the North 5 Feet of Lot 10, Block 27, NCB 1764, generally located in the 2000 block of Broadway Street. Staff recommends Approval. (Azadeh Sagheb, Senior Planner, (210) 207-5407, Azadeh.Sagheb@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

| Date | Ver. | Action By | Action | Result |
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2021-10700090

**SUMMARY:**

**Current Zoning:** "C-2 UC-2 RIO-1 NCD-9 AHOD" Commercial Broadway Urban Corridor River Improvement Overlay 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 UC-2 RIO-1 NCD-9 AHOD" Commercial Infill Development Zone Broadway Urban Corridor River Improvement Overlay 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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 15, 2021. This case is continued from the June 1, and June 15, 2021 hearings.

**Case Manager:** Azadeh Sagheb, Sr. Planner

**Property Owner:** Caryn Hasslocher/ T.A.S.T.E. Food Products, Inc.

**Applicant:** Caryn Hasslocher/ T.A.S.T.E. Food Products, Inc.

**Representative:** Patrick Christensen

**Location:** Generally located in the 2000 block of Broadway Street

**Legal Description:** The North 10 Feet of Lot 4, Lot 5, Lot 6, the South 45.4 Feet of Lot 9, and the North 5 Feet of Lot 10, Block 27, NCB 1764

**Total Acreage:** 0.4845

**Notices Mailed**

**Owners of Property within 200 feet:** 14

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

**Applicable Agencies:** TxDOT

**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-2" Business District by Ordinance 90546, dated September 23, 1999. The subject property converted from "B-2" Business District 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:** "IDZ"

**Current Land Uses:** Vacant Land

**Direction:** East

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

**Current Land Uses:** Law office, Residential

**Direction:** West

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

**Current Land Uses:** Gas Station, Health Clinic

**Direction:** South

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

**Current Land Uses:** Restaurant, Paint Store

## **Overlay and Special District Information:**

### **"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.

### **"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.

### **"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:** Alling 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 not required.

**Parking Information:** The parking requirement for a food service establishment is one parking space per 100 square feet gross floor area.

The addition of an "IDZ" overlay is waives parking.

## **ISSUE:**

None.

**ALTERNATIVES:**

**Current:** “C-2” Commercial districts accommodate community commercial uses, with unlimited building size and building height limitation of 25 feet. Examples of permitted uses include liquor store, auto and light truck oil, lube and tune up, gas station, food service establishments, and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed:** The proposed “C-2 IDZ” will provide an IDZ overlay to eliminate the parking minimum requirement for the current use. The “C-2” base zoning and all other overlays are to remain the same.

**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 “Regional Mixed Use”. The “C-2” base zoning district is consistent with the future land use designation. Application of an “IDZ” Overlay is also consistent with the goals and objectives of the plan for Infill Development.

**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 base zoning district of “C-2” Commercial will remain the same.

**3. Suitability as Presently Zoned:**

The current “C-2” Commercial District is an appropriate zoning for the property situated along a commercial corridor. The requested “IDZ” overlay is also appropriate for the site, which will waive parking for the existing businesses.

**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 for the Midtown Area

- 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
  - Continue to improve Midtown's great assets and public spaces, such as the Broadway Cultural Corridor, to attract more employers
- 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.

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

The subject property is 0.4845 acres, which could reasonably accommodate commercial uses.

## **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.

The purpose of the proposed zoning change is to allow for a restaurant use on the subject property. The proposed IDZ parking overlay will alleviate the parking requirements within the Unified Development Code, which the property is currently unable to provide.

This property is in the River Improvement Overlay (RIO). Any proposed exterior alterations and signage associated with the proposal will require approval from the Office of Historic Preservation. Approval 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 any changes.