



# City of San Antonio

## Agenda Memorandum

**File Number:**18-4376

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**Agenda Item Number:** Z-45.

**Agenda Date:** 8/2/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z2018220 CD

(Associated Plan Amendment 18067)

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "MF-50 CD AHOD" Multi-Family Airport Hazard Overlay District with Conditional Use for Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 19, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** 7600 Broadway Condominium

**Applicant:** Embrey Partners, Ltd.

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

**Location:** 7538 Broadway Street & 7600 Broadway Street

**Legal Description:** Lot 7 and Lot 9, NCB 11926

**Total Acreage:** 4.14

**Notices Mailed**

**Owners of Property within 200 feet:** 94 (65 of which are condo owners)

**Registered Neighborhood Associations within 200 feet:** Oak Park - Northwood Neighborhood Association

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 25, 1952, established by Ordinance 18115, and was zoned "F" Local Retail District. The zoning converted to "B-2" Business District upon adoption of the 1965 Zoning Code. In 2001, the Unified Development Code was adopted and the current "C-2" Commercial District converted from the previous "B-2," established by Ordinance 93881, dated May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-1, NP-8

**Current Land Uses:** Retail Shops, Single-Family Residential

**Direction:** East

**Current Base Zoning:** NP-8, MF-33, O-2

**Current Land Uses:** Single-Family Residential, Apartment Complex, Office

**Direction:** South

**Current Base Zoning:** C-2, C-3NA, C-3

**Current Land Uses:** Animal Hospital, Retail Uses

**Direction:** West

**Current Base Zoning:** C-3, C-2

**Current Land Uses:** Retail Center, Parking Lot

**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:** Broadway

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** Nacogdoches Road

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** West Nottingham Drive

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are multiple bus stops within walking distance of the subject property along Bus Routes 10, 209, 505, and 9.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is required. The traffic generated by the proposed development exceeds the threshold requirements. Right-Of-Way dedication along Broadway Street and Nacogdoches Road is required. Bike facilities are required on all three abutting streets.

**Parking Information:** The use of Multi-Family requires a minimum of 1.5 parking spaces per unit and allows a maximum of two (2) parking spaces per unit. The use of a Professional Office requires a minimum of one (1) parking space per 300 square-feet of the Gross Floor Area (GFA) and permits a maximum of one parking space per 140 square-feet of the GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

None.

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

The majority of the subject property is located within the Greater Airport Area Regional Center. The subject property is not located within a half (½)-mile of 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 Northeast Inner Loop Neighborhood Plan and is currently designated as “Neighborhood Commercial” in the land use component of the plan. The requested “MF-50” base zoning district is not consistent with the adopted land use designation. The applicant is requesting a Plan Amendment to “High Density Residential.” Staff and Planning Commission recommend Approval of the Plan Amendment.

**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. There are many different types of uses in the area, including multi-family uses. The subject property has contained a multi-family development for many years, and the proposed use is for a higher density multi-family development with professional office. With San Antonio’s growing population, a higher density development is appropriate.

**3. Suitability as Presently Zoned:**

The existing “C-2” base zoning district is appropriate for the surrounding area. The location of the subject

property along Broadway and Nacogdoches Road, which are two secondary arterials, would make commercial uses appropriate on this island.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The use of multi-family on this property provides a good buffer between the regional commercial uses to the west and the single-family residential uses to the east.

#### **5. Public Policy:**

The request does not appear to conflict with any public policy objective. The subject properties are located at the intersection of Broadway Street and Nacogdoches Road, both classified as Secondary Arterial Type B streets. Current uses include multi-family residential and neighborhood commercial. The properties are located within the boundaries of the 'SA Tomorrow - Greater Airport Area Regional Center' plan boundary and is also in proximity of multiple transit stops and other amenities such as a grocery store, restaurants, and retail.

The previous development on the site consists of 66 condominiums and two businesses, a flower shop and dry cleaner, with a gross floor area of 3,700 square feet. The proposed development would consist of approximately 200 units and a general office building with a gross floor area of 40,000 square feet which significantly increases the housing unit density and gross floor area of the commercial portion of the property.

The Northeast Inner Loop Neighborhood Plan states that high density residential uses should be located along arterials and also functions as a compatible transition between low density residential and higher intensity commercial uses such as the Shops at Lincoln Heights.

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 Goal 2: Priority growth areas attract jobs and residents.

GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

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 P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.

H Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.

The zoning case and plan amendment requests are consistent with the goals and policies of the SA Tomorrow Comprehensive Plan. The requested plan amendment and zoning change acts as an acceptable buffer between existing commercial and residential uses, encourages transit-supportive development, and achieves the goals and policies of SA Tomorrow related to city form and housing.

**6. Size of Tract:**

The 4.14 acre site is of sufficient size to accommodate the proposed development. There is an existing condominium development on the subject property. The proposed use will result in the demolition of the current development.

**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 request requires a Conditional Use in order to allow Professional Office uses with the Multi-Family uses. Professional Office uses are consistent and compatible with the surrounding development pattern.