



# City of San Antonio

## Agenda Memorandum

**File Number:**18-5449

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**Agenda Item Number:** Z-4.

**Agenda Date:** 11/1/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018252

**SUMMARY:**

**Current Zoning:** "C-2 RIO-1 DN UC-2 NCD-9 AHOD" Commercial River Improvement Overlay Development Node Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District and "IDZ RIO-1 DN UC-2 NCD-9 AHOD" Infill Development Zone River Improvement Overlay Development Node Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "IDZ RIO-1 DN UC-2 NCD-9 AHOD" Infill Development Zone River Improvement Overlay Development Node Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "O-2" High Rise Office District, "C-2" Commercial District and a Bar/Tavern with or without cover charge 3 or more days per week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 7, 2018. This case is continued from the July 17, 2018 hearing.

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** North Alamo Properties, LLC (c/o Victor Andonie, Member)

**Applicant:** Stream Realty Acquisition, LLC

**Representative:** Brown & Ortiz, P.C. (c/o James B. Griffin)

**Location:** Generally located at 2100 Broadway Street

**Legal Description:** Lots 1-4, 7-12, P-100, P-101, P-102, P-103, P-105, and P-106, Block 33, NCB 1763

**Total Acreage:** 1.48

### **Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Downtown Residents Association

**Applicable Agencies:** Office of Historic Preservation; Planning Department

### **Property Details**

**Property History:** The subject properties were a part of the original 36 square miles of San Antonio and were zoned “J” Commercial District. The properties were a part of a large area rezoning which changed the base zoning from “J” to “B-2” Business District and “B-3NA” Business Nonalcoholic Sales District by Ordinance 90004, dated June 24, 1999. The properties converted from “B-2” and “B-3NA” to “C-2” Commercial District and “C-3 NA” General Commercial Nonalcoholic Sales District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001. The properties located on the northwestern corner of Alling Street and North Alamo Street were rezoned from “C-2” to “IDZ” Infill Development Zone District with Multi-Family Residences not to exceed 175 units an acre. The property was recently rezoned from "C-2 RIO-1 UC-2 NCD-9 AHOD" Commercial River Improvement Overlay Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District, "IDZ RIO-1 UC-2 NCD-9 AHOD" Infill Development Zone River Improvement Overlay Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District with Multi-Family Residences not to exceed 175 units an acre to "C-2 RIO-1 DN UC-2 NCD-9 AHOD" Commercial River Improvement Overlay Development Node Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District, "IDZ RIO-1 DN UC-2 NCD-9 AHOD" Infill Development Zone River Improvement Overlay Development Node Broadway Urban Corridor Westfort Alliance Neighborhood Conservation Airport Hazard Overlay District with Multi-Family Residences not to exceed 175 units an acre by Ordinance 2018-02-15-0132, dated February 15, 2018.

**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-3NA”

**Current Land Uses:** Food Trucks Stations and Retail Shop

**Direction:** East

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Alamo Colleges District Support Operations Building

**Direction:** South

**Current Base Zoning:** “C-2”

**Current Land Uses:** Catering Business, Duplex and Law Office

**Direction:** West

**Current Base Zoning:** “C-2”, “C-2 IDZ”, “IDZ”

**Current Land Uses:** Emergency Clinic, Furniture Store, Office Building

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

“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.

#### "RIO-1"

All surrounding properties carry the "RIO-1" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

#### "UC-2"

The following area is designated as the Broadway urban corridor district: both sides of Broadway, an arterial, between IH-35 and the city limits of Alamo Heights for a distance of two hundred (200) feet from the street right-of-way. This corridor meets the following designation criteria established by section 28-61: The corridor provides primary access to one or more major tourist attractions. The corridor abuts, traverses, or links the San Antonio River or its major tributaries, area lakes, or major parks.

#### "NCD-9"

The Westfort 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.

#### **Transportation**

**Thoroughfare:** Broadway Street

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** North Alamo Street

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Appler Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Alling Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 9, 10, 14, 20, 209 and 214 are within walking distance of the subject properties.

**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 properties designated "IDZ" Infill Development Zone District do not have to provide off-street vehicle parking.

#### **ISSUE:**

None.

#### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “C-2” and “IDZ”.

C-2 districts accommodate 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.

IDZ provides flexible standards for use, setbacks, and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

#### **FISCAL IMPACT:**

None.

#### **Proximity to Regional Center/Premium Transit Corridor**

The subject properties are located within the Midtown Regional Center and are also located within a ½ of a mile of New Braunfels Avenue and Austin Highway Premium Transit Corridors.

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval.

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

##### **1. Consistency:**

The subject properties are located within the Westfort Neighborhood Plan and are currently designated as “Mixed Use” in the future land use component of the plan. The current “C-2” and “IDZ” base zoning districts are 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 of the requested base district.

##### **3. Suitability as Presently Zoned:**

The current “C-2” and “IDZ” are appropriate zoning for the property and surrounding area. The properties in the area carry similar commercial and “IDZ” base zoning.

##### **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 future land use plan did not explicitly address which RIO overlay zones are applicable in any given location. The RIO-1 design objectives listed at UDC Sec. 35-670 appear to be consistent with the “Mixed Use” category description in the future land use plan. The Midtown Brackenridge TIRZ Plan, an adopted element of the City’s comprehensive plan, included a “character areas” element, and included the subject property in the “Urban Core Character Area” with blocks adjacent to Broadway Street as far south as I-35. “This character

area is intended to support highest intensity mixed use development with a strong street edge, active ground floor, and streetscape amenities...” Accordingly the RIO-2 Overlay Zone, which allows for the most urban mixed use development of all the RIO Overlay zones, and which promotes the most urban and high quality streetscape amenities would be an appropriate Overlay Zone for the subject property and other properties identified as “Mixed Use” in the future land use map and identified as “Urban Core Character Area.”.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

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

**GCF P8:** Continue to focus on the 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 closer proximity to housing and where appropriate.

**GCF P12:** Develop programs to encourage and incentivize adaptive reuse.

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

**GCF P31:** Promote development that leverages and protects the public’s investment in major green infrastructure and natural resources projects (e.g., the San Antonio River Improvements Project and other creek and trail restoration projects). (See also PFCS P9)

**TC P30:** Design commercial, residential, educational, cultural, and recreational facilities that support and provide access to and all transportation modes.

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

The subject property is 1.48 acres, which would adequately support an infill development that includes office and 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.

Additionally, the applicant’s request for IDZ is consistent with the following criteria:

- 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 meets the Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- 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.