City of San Antonio

Agenda Memorandum

File Number:20-5285

Agenda Item Number: Z-9.

Agenda Date: 9/17/2020

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:
Zoning Case Z-2020-10700169

SUMMARY:
Current Zoning: "C-2 RIO-1 UC-2 NCD-9 AHOD" Commercial River Improvement Overlay Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District

Requested Zoning: "IDZ-2 RIO-1 UC-2 NCD-9 AHOD" Medium Intensity Infill Development Zone River Improvement Overlay Broadway Urban Corridor Westfort Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and allowing a fence up to eight (8) feet in height in accordance with Section 35-514 (c)(2)(D) of the Unified Development Code

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: August 18, 2020

Case Manager: Mercedes Rivas, Senior Planner

Property Owner: Summer Classics II, LLC

Applicant: DuWest Realty LLC

Representative: Killen, Griffin & Farrimond, PLLC

Location: 2600 Broadway Street

Legal Description: 0.7101 acres out of NCB 3594

Total Acreage: 0.7101

Notices Mailed

Owners of Property within 200 feet: 20
Registered Neighborhood Associations within 200 feet: Westfort Alliance Neighborhood Association
Applicable Agencies: Fort Sam and Planning Department

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, on 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: "I-2"
Current Land Uses: Doctor's Office

Direction: East
Current Base Zoning: "RM-4"
Current Land Uses: Single Family Dwelling

Direction: West
Current Base Zoning: "C-2"
Current Land Uses: Retail

Direction: South
Current Base Zoning: "C-2"
Current Land Uses: Doctor's Office

Overlay and Special District Information:

"RIO"

All surrounding properties carry the "RIO" 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"

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.

"NCD"

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.

"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: Local
Proposed Changes: Primary Arterial Type B

Thoroughfare: Post Avenue
Existing Character: Collector
Proposed Changes: Local

Public Transit: VIA bus routes are within walking distance of the subject property.
Route Served: 9, 10, and 209

Traffic Impact: A Traffic Impact Analysis (TIA) cannot be determined at this time.

Parking Information: The parking requirement for "IDZ-2" is waived by 50 percent.

ISSUE:
None.

ALTERNATIVES:
Current: 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

Proposed: "IDZ-2" shall be limited to no more than fifty (50) dwelling units per acre, and shall be limited to commercial uses consistent with the "NC" Neighborhood Commercial, "C-1" Light Commercial, or "C-2" Commercial District. "IDZ-2" shall be limited to office uses consistent with the "O-1" Light Office District or the "O-1.5" Mid-Rise Office District. "IDZ-2" shall not permit any industrial uses.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The property is within the Downtown Regional Center and is 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 Midtown Area Regional Center and is designated as "Urban Mixed Use" in the future land use plan. The requested "IDZ-2" is consistent with the current land use designation.

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 uses proposed as part of the "IDZ-2" zoning are "C-2" Commercial District uses which are consistent with existing and surrounding district of "C-2."

3. Suitability as Presently Zoned:
The current "C-2" Commercial District is an appropriate zoning for the property situated next to a Primary Arterial and within the downtown region. The requested "IDZ-2" is also appropriate for the site, the district proposed is "C-2," and the surrounding area as it allows for better utilization of this downtown infill property with reduced parking.

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:

The proposed "IDZ-2" zoning is consistent with the adopted Land Use Plan of the Midtown Area Regional Center, which classifies the subject property as "Urban Mixed Use".

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.
- Cultivate target markets related to arts, culture, entertainment, technology, and wellness.

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.

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 of 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 meets the Master Plan's Policy for Economic Development - Goal 4, because it targets an area within Loop 410.
- 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 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 1e, because it allows zero setbacks for commercial and multi-family developments.
- 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 0.7101 acres, which could reasonably accommodate commercial uses.

7. Other Factors:
This property is located in the RIO-1 district. Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation. Approval of a site plan or renderings submitted as part 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 submitted to the Office of Historic Preservation for this project.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.