



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6054

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**Agenda Item Number:** 9.

**Agenda Date:** 10/20/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2020-10700212

**SUMMARY:**

**Current Zoning:** "FBZD T4-2 HS AHOD" Form Based Zone District Transect 4 Historic Landmark Airport Hazard Overlay District

**Requested Zoning:** "D HS AHOD" Downtown Historic Landmark Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 20, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** MPPI Inc

**Applicant:** MPPI Inc

**Representative:** Kaufman, Griffin, and Farrimond PC

**Location:** 624 North Alamo Street and 609 Avenue E

**Legal Description:** Lot 2, Lots 4 through 9, and Lot 11, Block 6, NCB 442, 0.664 acres out of NCB 442, and 0.994 acres out of NCB 442

**Total Acreage:** 1.7

**Notices Mailed**

**Owners of Property within 200 feet:** 36

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

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

### **Property Details**

**Property History:** The property was a part of the original 36 square miles of the City of San Antonio and was originally zoned “K” Industrial District. The subject property converted from “K” Manufacturing District to “I-1” General Industrial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001. The property was rezoned from “I-1” to “FBZD T4-1” Form Based Zone District by Ordinance 2010-04-01-0279 dated April 1, 2010.

**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:** “FBZD T4-2”

**Current Land Uses:** Corner Store, Gym

**Direction:** East

**Current Base Zoning:** “FBZD T4-2”

**Current Land Uses:** Offices, Bar

**Direction:** West

**Current Base Zoning:** “FBZD T4-2”

**Current Land Uses:** Apartments, Offices

**Direction:** South

**Current Base Zoning:** “FBZD T4-2”

**Current Land Uses:** Single Family Homes, Offices

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

**"FBZD"**

Form Based Zoning Development is a compilation of various special transect districts established to encourage a sustainable pattern of development by concentrating growth in hamlets, villages and regional centers while preserving and protecting prime agricultural land, environmentally sensitive areas, important natural features and open space for large planned developments. Hamlets, villages and regional centers are compact, pedestrian-oriented and mixed-use with a focus on creating communities where the ordinary activities of daily living occur within walking distance of most dwellings. Lot and building standards including building disposition, building configuration, building function, parking standards, architectural standards, landscape standards and signage standards are governed by development pattern plans, the individual transect districts, and the calibrated transect districts, if applicable.

**"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:** Alamo Street

**Existing Character:** Minor Arterial

**Proposed Changes:** None

**Thoroughfare:** Avenue E

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Brooklyn Avenue

**Existing Character:** Minor Arterial

**Proposed Changes:** None

**Thoroughfare:** 6th

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance.

**Routes Served:** 9,10, 11, 14

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

**Parking Information:** The parking requirement for a multi-family dwelling is 1.5 spaces per lot. The parking requirement for a hotel is 0.8 spaces per room plus 1 per 800 sf of public meeting area and restaurant space.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** Form Base Zoning Districts encourage a sustainable pattern of development by concentrating growth in hamlets, villages and regional centers while preserving and protecting prime agricultural land, environmentally sensitive areas, important natural features and open space.

**Proposed:** This zone provides concentrated downtown retail, service, office and mixed uses in the existing central business district. There are no building size or height limitations, and parking requirements are waived. Examples of permitted uses: bar/tavern, indoor theater, taxi & limousine service, residential uses, hotel, art gallery and/or studio, offices (no restrictions on square footage unless otherwise prescribed), and telephone equipment infrastructure.

**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 recommends Denial.

**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 Downtown Regional Center Plan and is designated as “Regional

Mixed Use” in the future land use plan. The requested “D” Downtown District is consistent with the current land use designation.

## **2. Adverse Impacts on Neighboring Lands:**

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The request is out of character for the area. The requested “D” Downtown District is very broad and would allow many uses without Form Based Design.

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

The current “R-5” Residential Single-Family an appropriate zoning for the property. The entire area is purposefully zoned “FBZD” Form Based Zoning District. The proposed “D” Downtown District is not appropriate for the site or surrounding area. It is important to maintain “FBZD” zoning since much planning went into creating a particular design and form for developments within many of the blocks in this area.

## **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 appears to conflict with the following goals of the SA Tomorrow Comprehensive Plan:

HPCH Goal 1: San Antonio’s zoning and design review processes and procedures promote clear and effective historic and cultural preservation decisions.

HPCH Goal 6: San Antonio strategically incentivizes reinvestment in and reuse of landmark buildings and districts to protect those historic resources in accordance with established zoning and design guidelines.

HPCH P15: Promote historic preservation as a strategy for maintaining diverse and vibrant neighborhoods.

The proposed rezoning appears to conflict with the following goals, principles, and objectives of the Downtown Regional Center Plan:

Land Use Recommendation #2: Evaluate and revise the various tools that the City uses to guide development in the Downtown Area so that they are consistent with SA Tomorrow and the Downtown Area Regional Center Plan.

Land Use Strategy 2.1: The Downtown Design Guide, River North Master Plan and Form-Based Zoning District, and the Standards for the Downtown Zoning District are the major regulatory instruments which guide site design and development downtown. For each of these documents, standards should be evaluated and revised for: parking requirements; parking lot landscaping, screening and lighting; building heights and setbacks; pedestrian-oriented streetscaping; building facades and fenestration; pedestrian-scaled lighting requirements; bicycle parking requirements; sidewalks; street trees; permitted first floor uses, temporary uses, and accessory uses.

Land Use Recommendation #3: Evaluate and consider revisions to the “D” Downtown Zoning District to more clearly differentiate the scale of development and the desired land use pattern within the Central Business District.

Land Use Strategy 3.1: Work with Downtown stakeholders to identify potential revisions to the “D” Downtown zoning district to create a more balanced mix of land uses and building forms that provide transitions to surrounding areas and clear districts within the central business district.

The proposed zoning change is not consistent with goals, recommendations, and general intent of the SA Tomorrow Comprehensive Plan and the Downtown Area Regional Center Plan. The Regional Center Plan recommendations and strategies express the policy of continued use of the FBZD Form Based Zoning Districts as regulatory instruments, with evaluation and revision of their standards, with community input, performed in the future to ensure implementation of the Regional Center Plan vision. Similarly, the Regional Center Plan recommends that the “D” Downtown District be updated to achieve the desired scale of development and land use pattern, specifically removing potential barriers to non-hospitality functions.

The River North Form Based Zoning Pattern Plan is clear that unlimited hotel functions are appropriate only by specific use authorization in the T5 & T6 transect zones. However, the other desired functions listed by the applicant are all permitted in the existing Form Based Zoning transect calibrated to the River North Pattern Plan, T4-2. Removing individual parcels from the wider Form Based Zoning Plan would erode the integrity of the calibrated zoning plan and allow for development of a scale that is greatly in excess of the surrounding area.

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

The subject property is 1.7 acres, which could reasonably accommodate the requested mix of uses.

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

This property is designated a local historic landmark (HS). Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation and the Historic and Design Review Commission. 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. Demolition of properties zoned historic require a 60-day hold prior to being heard by the Historic and Design Review Commission. 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 made to the Office of Historic Preservation for this project for demolition or new construction.