



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6740

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**Agenda Item Number:** 7.

**Agenda Date:** 11/17/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:** Zoning Case Z2020-10700217 S

**SUMMARY:**

**Current Zoning:** "FBZD T5-1 AHOD" Form Base Zoning Transect 5 Airport Hazard Overlay District

**Requested Zoning:** "FBZD T5-1 S AHOD" Form Base Zoning Transect 5 Airport Hazard Overlay District with a Specific Use Authorization for a Non-Commercial Parking Lot

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 17, 2020. This case is continued from the November 3, 2020 hearing.

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Albert Castillo

**Applicant:** Tiffany Tankersley

**Representative:** Tiffany Tankersley

**Location:** 415 Dallas Street

**Legal Description:** Lot 4, Block 19, NCB 815

**Total Acreage:** 0.252 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 25

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

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned "E" Office District. The previous "E" district converted to "O-2" High-Rise Office District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001. The property was then rezoned to the current "FBZD T5-1" 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 T5-1"

**Current Land Uses:** Medical offices, property management company, parking lots

**Direction:** East

**Current Base Zoning:** "FBZD T5-1"

**Current Land Uses:** Parking lot, vacant house, single-family dwelling, duplex, medical office

**Direction:** South

**Current Base Zoning:** "FBZD T5-1"

**Current Land Uses:** Multi-family dwellings, duplex, gas station

**Direction:** West

**Current Base Zoning:** "FBZD T5-1"

**Current Land Uses:** Single-family dwelling, medical office, Madison Square Park

## **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.

## **Transportation**

**Thoroughfare:** Dallas Street

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance of the subject property.

**Routes:** 5, 204

**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:** There is no parking requirement for a noncommercial parking lot.

**ISSUE:** None.

## **ALTERNATIVES:**

**Current:** The current “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.

**Proposed:** The proposed “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.

The proposed “S” would accommodate a noncommercial parking lot.

**FISCAL IMPACT:** None.

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

The property is within a regional center and 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 Area Regional Center Plan and is currently designated as “Regional Mixed Use.” The requested “FBZD” is consistent with the future land use designation. The proposed “S” would allow for consideration of a noncommercial parking lot.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. There are already ample parking lots in the area and another noncommercial parking lot is not appropriate alongside a single-family residential dwelling.

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

The current “FBZD” Form Base Zoning District is an appropriate zoning for the property and surrounding area.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. The proposed surface parking lot would detract from the vision expressed through the Downtown Area Regional Center Plan as it

would disrupt the pedestrian environment along Dallas Street by creating a new curb-cut and creating conflict between cars and people walking or using a form of micromobility such as bicycles or other devices.

## **5. Public Policy:**

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

Goal 1.1- Grow and evolve in meaningful ways that encourage attachment between people and places

Goal 2.6- Prioritize pedestrian and bike infrastructure over automobiles, including creative curb space management solutions

Goal 4.2- Encourage the development of vacant lots in the city center with a geographically balanced mix of uses

The property is within the Downtown Area Regional Center plan area, as well as the previously adopted River North Master Plan. The applicant proposes to change the zoning from the Form Based Zoning District T5-1 to the T5-1 S with a Specific Use Authorization for Primary Use Parking Lot. The subject property is presently vacant. The site is also within the McCullough Avenue & Nolan Street Mixed-use Corridor, which envisions an active mixed-use corridor with currently vacant lots or those presently devoted to surface parking are reinvested in and developed into functions that contribute to the neighborhood.

Primary Use Parking Lots, while not a permitted use in FBZD T5-1, may be permitted as a Specific Use Authorization on A-Grid Streets if the primary use parking lot would facilitate the development of surrounding lots where parking placement is limited due to lot size, shape, configuration, location, or access. Primary use parking lots permitted by a Specific Use Authorization must comply with the standards listed by Section 35-209 (e)(2)(D)(8) of the UDC, as well as any additional requirements imposed by the City Council through the zoning ordinance. Additionally, Section 35-209(c)(8)(B)(8) requires that all lots in T5 in an infill development pattern, such as River North, be accessed from an alley if one exists. The subject property is located on an existing alley that is used to access parking areas of existing development on the block.

The applicant's business, San Antonio Eye Center, is located to the east across McCullough Avenue, occupying the majority of the block between Brooklyn Avenue, Dallas Street, Camden Street, and McCullough Avenue. These facilities include a substantial amount of surface parking area at present.

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

The subject property is 0.252 acres, which could reasonably accommodate a noncommercial parking lot.

## **7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but with may, under the right set of circumstances and conditions be acceptable in certain specific locations.