



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 3, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700272 S

**SUMMARY:**

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

**Requested Zoning:** "IDZ-2 S UC-2 NCD-9 RIO-1 AHOD" Medium Intensity Infill Development Zone Broadway Urban Corridor Overlay Westfort Alliance Neighborhood Conservation Overlay River Improvement Overlay 1 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, one (1) Dwelling Unit, Professional Office, Commercial and Noncommercial Parking Lot with a Specific Use Authorization for Parking Lots Requiring Removal of Dwelling Units and "IDZ-2 S NCD-9 RIO-1 AHOD" Medium Intensity Infill Development Zone Westfort Alliance Neighborhood Conservation Overlay River Improvement Overlay 1 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, one (1) Dwelling Unit, Professional Office, Commercial and Noncommercial Parking Lot with a Specific Use Authorization for Parking Lots Requiring Removal of Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 3, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Bernarda A. Valdez and Estate of Esequiel G. Alvarez

**Applicant:** 4M Broadway, LLC

**Representative:** Killen, Griffin, & Farrimond, PLLC

**Location:** 2023 North Alamo Street

**Legal Description:** Lot 7 and the north 4.6 feet of Lot 8, Block 27, NCB 1764

**Total Acreage:** 0.1194 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 15

**Registered Neighborhood Associations within 200 feet:** Westfort Alliance Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation, Fort Sam Houston Army Base, Solid Waste Management

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned “J” Commercial District. The property was rezoned by Ordinance 90004, dated June 24, 1999, to “B-2” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-2” Business District converted to the current “C-2” Commercial District.

**Code & Permitting History:**

There is no code enforcement or permitting history for the subject property.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** IDZ-3

**Current Land Uses:** Vacant

**Direction:** South

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

**Current Land Uses:** Vacant Commercial Buildings

**Direction:** East

**Current Base Zoning:** IDZ

**Current Land Uses:** School

**Direction:** West

**Current Base Zoning:** C-2 IDZ

**Current Land Uses:** Caterer, Restaurants

**Overlay District Information:**

The "RIO-1" River Improvement Overlay District is an overlay district to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

The "UC-2" Broadway 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.

The Westford 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.

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

**Transportation**

**Thoroughfare:** North Alamo Street

**Existing Character:** Minor

**Proposed Changes:** None Known

**Thoroughfare:** Alling Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 9, 14, 209, 214, 20

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The parking requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b. The minimum parking requirement for

Dwelling – 1 Family is 1 space per unit. The minimum parking requirement for Professional Office is 1 space per 300 sf of Gross Floor Area. There is no minimum parking requirement for Commercial or Noncommercial Parking Lot.

The “IDZ-2” base zoning district would waive the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “C-2” Commercial 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.

Proposed Zoning: “IDZ-2 S” Medium Intensity Infill Development Zone allows rezoning requests up to 50 units per acre, and uses permitted in “C-2” and “O-1.5”. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The “S” Specific Use Authorization is for Parking Lots Requiring Removal of Dwelling Units.

The uses permitted by the “IDZ-2” base zoning district would allow for uses permitted in “C-2” Commercial District, one (1) Dwelling Unit, Professional Office, Commercial and Noncommercial Parking Lot with a Specific Use Authorization for Parking Lots Requiring Removal of Dwelling Units

**FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center and is within ½ a mile of the Austin Highway Premium Transit Corridor and the New Braunfels Avenue Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

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

1. **Consistency:** The subject property is located within the Midtown Area Regional Center Plan, adopted June 2019, and is currently designated as “Urban Mixed Use” and “Regional Mixed Use” in the future land use component of the plan. The requested “IDZ-2” base zoning district is consistent with the future 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 proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are “IDZ-3” High Intensity Infill Development Zone District and “IDZ” Infill Development Zone District.
3. **Suitability as Presently Zoned:** The existing "C-2" Commercial District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-2 S" Medium Intensity Infill Development Zone District with uses permitted in "C-2" Commercial District, one (1) Dwelling Unit, Professional Office, Commercial and Noncommercial Parking Lot with a Specific Use Authorization for Parking Lots Requiring Removal of Dwelling Units is also appropriate. The subject property is situated within a mix of commercial, residential, and institutional developments, near Broadway Street, a major commercial corridor. Thus, the property is compatible in intensity and commercial traffic can be supported by surrounding roadways. The development will be held to a prescribed; deviation from the approved site plan could warrant additional Council consideration.
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 request does not appear to conflict with public policy. Relevant Goals and Policies of the Midtown Area Regional Center Plan:
  - Goal 1: Preserve the Midtown Area’s Distinct Character
    - o Preserve the Midtown Area’s essential character-defining elements: the diversity of people and the unique character of individual places and neighborhoods.
    - o Maintain buildings with exemplary historic character.
  - Goal 4: Support Unique, Mixed Activity Areas
    - o Foster an appropriate mix, density, and orientation of land uses in each part of the Midtown Area to maintain the character of unique places, such as the North St. Mary’s Street music culture.
    - o Accommodate growth while preserving distinct characteristics of each part of the Midtown Area and providing thoughtful transitions between uses.
6. **Size of Tract:** The subject property is 0.1194 acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

This property is designated in the RIO-1. Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation. 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 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.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial and residential uses.

Sec. 35-384(b) (b) Parking Lots Requiring Demolition of Dwelling Units requires the construction of any parking lot which involves the replacement, demolition, or destruction of a dwelling unit to make application and receive approval of a specific use authorization.

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 may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is rezoning for Parking Lots Requiring Removal of Dwelling Units.