



City of San Antonio

Agenda Memorandum

Agenda Date: December 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2023-10700225

SUMMARY:

Current Zoning: "I-1 RIO-2 UC-2 AHOD" General Industrial River Improvement Overlay 2 Broadway Urban Corridor Airport Hazard Overlay District and "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay 2 Airport Hazard Overlay District

Requested Zoning: "IDZ-3 RIO-2 UC-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay 2 Broadway Urban Corridor Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "C-3" General Commercial District, and Multi-Family uses (apartments and/or condominiums) not to exceed 100 units per acre, Live-Work Units, Bar and/or tavern with cover charge 3 or more days per week, Nightclub with cover charge 3 or more days per week, Alcohol beverage manufacture or brewery, Hotel taller than 35 feet, Beverage manufacture non-alcohol (including manufacturing and processing), Entertainment Venue (outdoor), Live Entertainment with and without cover charge 3 or more days per week (not including Food Service Establishments), Food Service Establishments with cover charge 3 or more days per week (with or without accessory live entertainment), and Beverage Manufacturing or Processing with Storage and Repair of Service Vehicles and Outside Storage (Open with No Screening including Shipping Container Storage)

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 7, 2023. This case is continued from the October 3, 2023 and October 17, 2023 hearings.

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: GS 1500 Broadway LLC

Applicant: KEM Texas, Ltd.

Representative: Ortiz McKnight PLLC

Location: 1508, 1514, and 1516 Broadway

Legal Description: 1.189 acres out of NCB 965

Total Acreage: 1.189

Notices Mailed

Owners of Property within 200 feet: 18

Registered Neighborhood Associations within 200 feet: Government Hill Alliance
Neighborhood Association and Downtown Neighborhood Association

Applicable Agencies: Fort Sam Houston, Office of Historic Preservation, Texas Department of
Transportation

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned “K” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “K” Commercial District converted to the current “I-1” General Industrial District.

Code & Permitting Details:

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 incursion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “IDZ-3”

Current Land Uses: Law Office

Direction: East

Current Base Zoning: “MF-18” and “I-1”

Current Land Uses: Lofts

Direction: South

Current Base Zoning: UZROW and “FBZ”

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: UZROW and “IDZ”

Current Land Uses: Residential Dwelling

Overlay District Information:

The "RIO-2" 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

"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: Broadway

Existing Character: Secondary Arterial

Proposed Changes: None known.

Thoroughfare: Casa Blanca

Existing Character: Collector

Proposed Changes: None known.

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

Routes Served: FlixBus 2230

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for multifamily dwelling is 1.5 spaces per unit. The maximum parking requirement for multifamily dwelling is 2 spaces per unit.

The minimum parking requirement for a bar/tavern/nightclub is 1 space per 100 sf GFA. The maximum parking requirement for a bar/tavern/nightclub is 1 space per 75 sf GFA.

The minimum parking requirement for alcohol manufacture or brewery is 1 space per 1,500 sf GFA. The maximum parking requirement for alcohol manufacture or brewery is 1 space per 300 sf GFA.

Minimum parking requirements are determined by Sec. 35-526. – Parking and Loading Standards.

“IDZ-3” waives the minimum parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “I-1” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

Proposed Zoning: “IDZ-3” High Intensity Infill Development Zone allows rezoning requests of unlimited density, and uses permitted in “C-3”, “O-2” and “I-1”. All approved uses and maximum density 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 proposed uses for the “IDZ-3” change of zoning include the following: uses permitted in "RM-4" Residential Mixed District, "C-3" General Commercial District, and Multi-Family uses (apartments and/or condominiums) not to exceed 100 units per acre, Live-Work Units, Bar and/or tavern with cover charge 3 or more days per week, Nightclub with cover charge 3 or more days per week, Alcohol beverage manufacture or brewery, Hotel taller than 35 feet, Beverage manufacture non-alcohol (including manufacturing and processing), Entertainment Venue (outdoor), Live Entertainment with and without cover charge 3 or more days per week (not including Food Service Establishments), Food Service Establishments with cover charge 3 or more days per week (with or without accessory live entertainment), and Beverage Manufacturing or Processing with Storage and Repair of Service Vehicles and Outside Storage (Open with No Screening including Shipping Container Storage)

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located with the Midtown Regional Center and within ½ a mile from the Austin Highway Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend 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 SA Tomorrow Midtown Area Regional Center Plan, adopted June 2019, and is currently designated as "Regional Mixed Use" in the future land use component of the plan. The requested "IDZ-3" 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.
3. **Suitability as Presently Zoned:** The existing "I-1" General Industrial District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-3" High Intensity Infill Development Zone with multiple uses is also an appropriate. The proposed zoning supports the SA Tomorrow Midtown Area Regional Center Plan, proposing a mix of land uses, offering a range of housing types to meet the diverse needs of residents, and creating employment opportunities to stimulate the economy and attract workers to the city center. The proposed "IDZ-3" would permit multifamily units not to exceed 100 units per acre, which is a comparable density to the established residential uses. The request also proposes an assortment of commercial uses that would be a down zone from the current "I-1" base zoning uses and would be compatible with the surrounding 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 request does not appear to conflict with any public policy objective of the SA Tomorrow Midtown Area Regional Center Plan. Goals and strategies may include:
 - Goal 4: Support Unique, Mixed Activity Areas
 - o Foster an appropriate mix, density, and orientation of land uses in each part of Midtown to maintain the character of unique places, such as the North St. Mary's Street music culture.
 - Goal 5: Broaden Housing Choices
 - o Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others
 - o Focus most new housing development closer to multimodal transportation corridors.
 - Goal 7: Stimulate a Thriving Economy
 - o Create more employment opportunities to continue attracting a diverse residential population.
6. **Size of Tract:** The 1.189 acre site is of sufficient size to accommodate the proposed mixed use development.
7. **Other Factors:** This property is designated in the RIO-2 district. 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. To date, no application has been made to the Office of Historic Preservation for this project.

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.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates both commercial and residential uses. The zoning request proposes a residential density not to exceed 100 units per acre.