



City of San Antonio

Agenda Memorandum

Agenda Date: December 17, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2024-10700290

SUMMARY:

Current Zoning: "C-1 AHOD" Light Commercial Airport Hazard Overlay District and "C-1 HS AHOD" Light Commercial Historic Significance Airport Hazard Overlay District

Requested Zoning: "IDZ-2 HS AHOD" Medium Intensity Infill Development Zone Historic Significance Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 17, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Quackery Development Group LLC

Applicant: GDC Marketing and Ideation

Representative: Patrick Christensen

Location: 210 Lewis Street, and 215, 221, and 225 Poplar Street

Legal Description: 0.495 acres out of NCB 372, the east 15 feet of Lot 10, and the west 35 feet of Lot 11, Block 10, NCB 372

Total Acreage: 0.6712 acres

Notices Mailed

Owners of Property within 200 feet: 28

Registered Neighborhood Associations within 200 feet: Tobin Hill Community Neighborhood Association, San Antonio Texas District One Resident Association

City-Wide Community Organizations: T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, Lifeline Overeaters Anonymous

Applicable Agencies: Fort Sam Houston, Waste Management, Office of Historic Preservation

Property Details

Property History: The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "E" Office District. The property was rezoned by Ordinance 83331, dated December 14, 1995, to "B-1" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, "B-1" Business District converted to the current "C-1" Light Commercial District. A portion of the property was rezoned by Ordinance 97763, dated June 12, 2003, to the current "C-1 HS" Light Commercial Historic Significance 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 inclusion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-2NA", "C-2", "C-1"

Current Land Uses: Physical Rehabilitation Center, Medical Offices, Hotel

Direction: East

Current Base Zoning: "C-1", "C-3"

Current Land Uses: Offices, Single-Family Dwelling

Direction: South

Current Base Zoning: "C-2NA", "C-1"

Current Land Uses: Offices, Townhomes

Direction: West

Current Base Zoning: "C-1"

Current Land Uses: Parking Lot, Office, Single-Family Dwellings

Overlay District Information:

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.

The “HL” Historic Landmark, “HS” Historic Significant or “HE” Historic Exceptional overlay district designation signifies the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property but do regulate the exterior aesthetic of the structure. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

Special District Information:

N/A

Transportation

Thoroughfare: Lewis Street

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Poplar Street

Existing Character: Local

Proposed Changes: None Known

Public Transit: There are VIA bus routes within a ½ mile of the subject property.

Routes Served: 90, 4, 95, 96, 97, 296, 204, 3, 289, 5

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 parking requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "C-1" Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

Proposed Zoning: "IDZ-2" 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 request for “IDZ-2” is for uses permitted in “C-2” Commercial District.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within the Midtown Regional Center and within ½ a mile from the San Pedro Metro Premium Plus 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 in 2019, and is currently designated as "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 zoned "C-2NA" Commercial Nonalcoholic Sales District, "C-1" Light Commercial District, and "C-3" General Commercial District.
3. **Suitability as Presently Zoned:** The existing "C-1" Light Commercial District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-2" Medium Intensity Infill Development Zone with uses permitted in “C-2” Commercial District is also appropriate. The request to rezone is to permit office and commercial uses on the property. Additionally, the owner will be utilizing the three (3) existing structures along Poplar Street as a part of their future development. The surrounding area is comprised of other commercial uses and zoning designations making the proposal consistent with the area. The applicant will have to adhere to the prescribed site plan and any deviation from the approved document could potentially 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 any public policy objectives. Relevant Goals and Policies of the Midtown Area Regional Center Plan may include:
 - Goal 1: Preserve Midtown’s Distinct Character
 - Goal 7: Stimulate a Thriving Economy

- Goal 11: Grow Unique Destinations

6. **Size of Tract:** The 0.6712-acre site is of sufficient size to 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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

This request is associated with 221 and 215 W Poplar St which are individual landmarks. Any exterior modifications or new construction will require approval from the Office of Historic Preservation. Approval of a site plan or materials submitted as part of a variance application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. On November 22, 2024, OHP staff administratively approved the construction of a new mixed-use structure and in-kind rehabilitative work on the existing designated structures.

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

The proposed commercial development for this location will not be eligible for City waste services.