



City of San Antonio

Agenda Memorandum

Agenda Date: December 15, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2022-10700300

SUMMARY:

Current Zoning: "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay 2 Airport Hazard Overlay District

Requested Zoning: "IDZ-3 RIO-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay 2 Airport Hazard Overlay District with Uses Permitted in "C-3" General Commercial District, Bar/Tavern with Cover Charge three (3) or more days per week, and Multi-Family at a Maximum Density of 140 dwelling units per acre

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 15, 2022

Case Manager: Ann Benavidez, Planner

Property Owner: Oxbow Real Estate, LLC

Applicant: Oxbow Real Estate, LLC

Representative: Oxbow Development Group, LLC

Location: 102 East Josephine Street

Legal Description: Lots 23 and 24, and the east 260.98 feet of Lot 25, Block 16, NCB 973

Total Acreage: 2.198 Acres

Notices Mailed

Owners of Property within 200 feet: 16

Registered Neighborhood Associations within 200 feet: Tobin Hill Community Association

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

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 to "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-1" Light Industry District converted to "I-1" General Industrial District.

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: "R-6" "C-2" "I-1"

Current Land Uses: Pharmaceutical Company, Parking lot, River tunnel inlet

Direction: South

Current Base Zoning: "IDZ"

Current Land Uses: Restaurant, Riverwalk

Direction: East

Current Base Zoning: "C-3NA" "I-1" "IDZ"

Current Land Uses: Furniture Store, Restaurant

Direction: West

Current Base Zoning: "C-3NA" "C-3" "IDZ"

Current Land Uses: Restaurant, Riverwalk

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 "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:

None.

Transportation

Thoroughfare: East Josephine Street

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Isleta

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: East Grayson Street

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 8, 9, 14, 20, 209

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

Parking Information: The minimum parking requirement for most retail uses is 1 parking space per 300 square feet of ground floor area. The minimum parking requirement for multi-family development is 1.5 parking spaces per unit. The minimum parking requirement for a bar/tavern is 1 parking space per 100 square feet of gross square footage.

The IDZ-3 base zoning district waives the 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 District 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 “IDZ-3” includes a bar/tavern, “C-3” General Commercial District uses, and multi-family residential dwellings at a maximum 140 units per acre.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within the Midtown Regional Center but is within a ½ mile of the New Braunfels Premium Transit Corridor and 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 Midtown Area Regional Center Plan 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. The property sits amongst other properties zoned for similar multi-family densities, and the zoning intensity associated with “C-3” General Commercial District is also found in proximity to the subject property.
3. **Suitability as Presently Zoned:** The current “I-1” General Industrial District is not an appropriate zoning for the property and surrounding area. The proposed "IDZ-3" High Intensity Infill Development Zone District with Uses Permitted in "C-3" General Commercial District, Bar/Tavern with Cover Charge three (3) or more days per week and Multi-Family at a Maximum Density of 140 dwelling units per acre is more appropriate and constitutes a downing zoning from the current intense “I-1” General Industrial District. The area currently accommodates IDZ zoning for similar residential densities on lots placed and sized similarly to the subject property. The commercial aspect of the proposed zoning is also consistent with the established development pattern in the area; the property is abutting the Pearl, which accommodates a plethora of hospitality-oriented businesses.
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 of the Midtown Area Regional Center Plan:
 - Goal 1: Preserve Midtown’s Distinct Character

- o Preserve Midtown’s essential character-defining elements: the diversity of people and the unique character of individual places and neighborhoods.
 - 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.
 - o Accommodate growth while preserving distinct characteristics of each part of Midtown and providing thoughtful transitions between uses.
 - 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 Conserve existing affordable housing and the existing diverse mix of housing types and expand affordable housing options.
 - o Rehabilitate or redevelop housing that is in poor condition.
 - 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 subject property is 2.198 Acres, which can reasonably accommodate the proposed development.
- 7. Other Factors:** The applicant intends to rezone to “IDZ-3” to accommodate mixed-use development.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates both residential and commercial uses. At 140 units per acre, and at 2.198 acres total, there could be a maximum of 307 units developed.

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 property is designated RIO-2 in River Improvement Overlay. Any proposed exterior alterations and new construction 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.