



City of San Antonio

Agenda Memorandum

Agenda Date: December 1, 2022

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2022-10700235

SUMMARY:

Current Zoning: "C-3NA HL MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales Historic Landmark Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "IDZ-3 HL MLOD-2 MLR-2 AHOD" High Intensity Infill Development Zone Historic Landmark Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Multi-Family uses (apartments and/or condominiums) not to exceed fifty (50) dwelling units total; as well as the following uses: Bar and/or Tavern without cover charge three (3) or more days per week, Alcohol Beverage Manufacture or Brewery, Microbrewery, Winery with Bottling, Theatre Indoor Permitting Over 2 Screens and/or Stages , Bowling Alley, Extended Stay Hotel/Motel or Corporate Apartment, Hotel taller than 35 feet when unable to achieve additional height pursuant to § 35-517(d) Setbacks for Height Increases, Entertainment Venue (Outdoor), Live Entertainment Without Cover Charge 3 or More Days Per Week (Not Including Food Service Establishments), Beverage Manufacture Non-Alcohol (Including Manufacturing and Processing), Dance Hall, Food Service Establishments (With or Without Accessory Live Entertainment)

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 18, 2022. This case was continued from the September 20, 2022 and the October 24, 2022 hearings.

Case Manager: Ann Benavidez, Planner

Property Owner: Triangle Trio LLC

Applicant: Killen, Griffin & Farrimond, PLLC

Representative: Killen, Griffin & Farrimond, PLLC

Location: 4007 South Flores Street

Legal Description: Lot 1, Block 1, NCB 6230

Total Acreage: 0.5898

Notices Mailed

Owners of Property within 200 feet: 31

Registered Neighborhood Associations within 200 feet: St. Leos Neighborhood Association

Applicable Agencies: Lackland Air Force Base, Office of Historic Preservation (OHP)

Property Details

Property History: The subject properties were in the original 36-square miles of the City of San Antonio and were zoned "J" Commercial District. The properties were a part of a large-area rezoning and were changed from "J" to "B-3NA" Business Nonalcoholic Sales District by Ordinance 83932, dated April 11, 1996. The "B-3NA" converted to the current base zoning of "C-3NA" with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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: "C-3 NA" and "C-1"

Current Land Uses: Commercial

Direction: South

Current Base Zoning: "C-2NA"

Current Land Uses: Vacant

Direction: East

Current Base Zoning: "C-2" and "C-3 NA"

Current Land Uses: Residential and Vacant Lot

Direction: West

Current Base Zoning: "C-1" and "R-6"

Current Land Uses: Residential and Vacant Lot

Overlay District Information:

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.

The "MLOD-2" Lackland Military Lighting Overlay District does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

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: N/A**Transportation**

Thoroughfare: South Flores

Existing Character: Secondary Arterial B

Proposed Changes: None Known

Thoroughfare: Pleasanton Road

Existing Character: Secondary Arterial B

Proposed Changes: None Known

Thoroughfare: Toudouze Street

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 43, 44, 243

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

ISSUE:

None

ALTERNATIVES:

Current Zoning: “C-3NA” Commercial Nonalcoholic districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

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 “IDZ-3” would allow “C-2” Commercial, “MF-50” Multi-Family, Bar/Tavern, Microbrewery and various other uses.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is within 1/2 a mile from the Downtown Regional Center but not within the 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 South Central San Antonio Community Plan and is currently designated as "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 “C-3NA” General Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The requested “IDZ-3” High Intensity Infill Development Zone is also an appropriate zoning for the property and surrounding area. The requested zoning will establish a mix of multi-family limited to 50 units per area, “C-2” uses and a variety of other specified uses. The property is a split between two arterial roads and continues with various intensity of commercial uses from the north.
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 South Central San Antonio Community Plan:

Objective 1 – Economic Development: Develop and enhance the community’s commercial corridors by improving streetscape appearances and recruiting businesses to employ and provide goods/services to residents.

Strategies 1.1 & 2 – Economic Development: 1) Improve the quality of commercial corridors including South Flores Street, South Presa Street, and Roosevelt Avenue.

Mixed Use - Mixed Use provides for a concentrated blend of residential, retail, professional service, office, entertainment, leisure and other related uses at increased densities to create a pedestrian-oriented environment. Mixed Use incorporates high quality architecture and urban design features such as attractive streetscapes, parks/plazas, and outdoor cafes.

6. **Size of Tract:** The 0.5898 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** This property is designated a local historic landmark (HS). Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation. 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. On March 8, 2022, the Office of Historic Preservation issued approval to remove a non-contributing one-story addition. To date, a subsequent request for a parking plan and south entrance design have not been submitted to the Office of Historic Preservation.

The subject property is located within the Lackland AFB 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.

The applicant is seeking to rezone to "IDZ-3" with uses permitted for "C-2" Commercial, up to 50 units per acre and various other specified general commercial uses.