



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 4, 2023

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2023-10700045

(Associated Plan Amendment PA-2023-11600012)

**SUMMARY:**

**Current Zoning:** "C-3 NA UC-6 AHOD" General Commercial Nonalcoholic Sales San Pedro Urban Corridor Airport Hazard Overlay District and "C-2 P UC-6 AHOD" Commercial Pedestrian San Pedro Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "IDZ-3 UC-6 AHOD" High Intensity Infill Development Zone San Pedro Urban Corridor Airport Hazard Overlay District with uses for a Supportive Housing Campus

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 4, 2023

**Case Manager:** Elizabeth Steward, Zoning Planner

**Property Owner:** Urban Renewal Agency of the City of San Antonio, d/b/a Office of Urban Redevelopment San Antonio

**Applicant:** Franklin Development Company

**Representative:** Brown and McDonald, PLLC

**Location:** 419 and 425 San Pedro Avenue

**Legal Description:** 0.924 acres out of NCB 769

**Total Acreage:** 0.924

**Notices Mailed**

**Owners of Property within 200 feet:** 9

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association and Five Points Neighborhood Association

**Applicable Agencies:** Fort Sam Houston, Office of Historic Preservation

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “J” Commercial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “J” Business District converted to the current “I-1” General Industrial District. The property was rezoned by Ordinance 97522, dated April 24, 2003, to “C-2P” Commercial Pedestrian District. The corner portion of the subject site was rezoned by Ordinance 2006-10-19-1232, dated October 19, 2006, to “C-3NA” General Commercial Nonalcoholic Sales District.

**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-2P

**Current Land Uses:** Sann Ministries

**Direction:** South

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

**Current Land Uses:** Dunkin

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Wendy’s

**Direction:** West

**Current Base Zoning:** R-4, NC IDZ, RM-4

**Current Land Uses:** Multifamily Residential Dwellings

**Overlay District Information:**

The “UC-6” San Pedro 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:**

N/A

**Transportation**

**Thoroughfare:** San Pedro Avenue

**Existing Character:** Principal Primary Arterial B

**Proposed Changes:** None Known

**Thoroughfare:** Marshall Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Jackson Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

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

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502\*\*A TIA Report is not required.

**Parking Information:** The minimum parking requirement for a Supportive Housing Campus is 1.5 spaces per unit. "IDZ-3" waives the minimum parking requirement by 50%.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-2" Commercial districts accommodate 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.

"C-2P" Commercial Pedestrian districts are identical to C-2 districts except that there is a 35-foot maximum front setback, rear parking requirements, and additional window requirements. "C-3" General Commercial districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex.

“C-3” Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

"C-3NA" General Commercial Nonalcoholic Sales 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 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 "IDZ-3" High Intensity Infill Development Zone would allow a Supportive Housing Campus.

**FISCAL IMPACT:**

None.

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

The property is located within the Midtown Regional Center and is located within a half mile of the San Pedro Premium Transit Corridor and the New Braunfels Avenue Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval, pending Plan Amendment.

**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 and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “IDZ-3” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Mixed Use”. Staff and Planning Commission recommend Approval.
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. There are “C-3”

General Commercial zoned properties throughout the area, as well as “MF-33” Multi-Family District and “MF-50” Multi-Family zoned properties.

3. **Suitability as Presently Zoned:** The existing "C-3 NA" General Commercial Nonalcoholic Sales District and "C-2 P" Commercial Pedestrian District are appropriate zoning for the property and surrounding area. The requested "IDZ-3" High Intensity Infill Development Zone District with uses for a Supportive Housing Campus is also appropriate zoning for the property and the surrounding area. The intensity of the proposed use fits the area and is consistent with the existing uses along the San Pedro Corridor. The proposed use is limited to a prescribed site plan and the use Supportive Housing Campus. The rezoning “IDZ-3” will also provide needed City services and housing.
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 Regional Center Plan.
  - Goal 5: Broaden Housing Choices
  - Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.
  - Conserve existing affordable housing and the existing diverse mix of housing types and expand affordable housing options.
  - Goal 9: Promote Health and Sustainability
6. **Size of Tract:** The 0.924 acre site is of sufficient size to accommodate the proposed infill development.
7. **Other Factors:** The applicant intends to construct a Supportive Housing Campus.

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.

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 zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.

The properties are subject to San Pedro Avenue Urban Corridor standards and will require variances for setbacks from the Board of Adjustment.