



City of San Antonio

Agenda Memorandum

Agenda Date: May 4, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1, District 5

SUBJECT:
ZONING CASE Z-2022-10700329

SUMMARY:

Current Zoning: “C-2 NA” Commercial Nonalcoholic District, “C-3” General Commercial District, “I-1” General Industrial District, “I-2” Heavy Industrial District, “MF-25” Low Density Multi-Family District, “MF-33” Multi-Family District, “O-2” High-Rise Office District, “R-4” Single-Family Residential District, and “RM-4” Residential Mixed District.

Requested Zoning: “C-3” General Commercial District, “I-1” General Industrial District, “L” Light Industrial District, “NC” Neighborhood Commercial District, “MF-18” Multi-Family District, “MF-33” Multi-Family District, “MF-65” Multi-Family District, “NC” Neighborhood Commercial District, “O-1” Office District, “O-1.5” Mid-Rise Office District, “R-1” Single-Family Residential District, “R-2” Single-Family Residential District, “R-3” Single-Family Residential District, “R-3 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-4” Residential Single-Family District, “R-4 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-5” Residential Single-Family District, “R-5 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “RM-4” Residential Mixed District, “RM-5” Residential Mixed District, and “RM-6” Residential Mixed District.

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 4, 2023

Case Manager: Chris Van Aken, Senior Planner

Property Owner: Multiple Owners

Applicant: Development Services Department

Representative: Development Services Department

Location: Gardendale Large Area Rezoning

Legal Description: NCB 196, 198, 199, 200, 201, 203, 205, 206, 221, 225, 246, 247, 249, 250, 251, 255, 258, 260, 261, 262, 263, 264, 285, 286, 290, 299, 2081, 2082, 2117, 2118, 2151, 2152, 2153, 2154, 2158, 2180, 2181, 2182, 2183, 2208, 2209, 2210, 2211, 2212, 2214, 2216, 2217, 2226, 2227, 2228, 2229, 2230, 2231, 3540, 7579, and 7580 generally bounded by Interstate 10 and Leal Street to the North, Interstate 10 to the East, Brazos Street and Martinez and Alazan Creeks to the West, and Martin Street and Commerce Street to the South.

Total Acreage: 241.03 acres

Notices Mailed

Owners of Property within 200 feet: 1,022

Registered Neighborhood Associations within 200 feet: Gardendale Neighborhood Association

Applicable Agencies: Lackland Air Force Base

Property Details

Property History: The subject properties were part of the original 36 square miles of the City of San Antonio and most of the area was originally zoned “C” Apartment District, with some “J” Commercial District and “F” Local Retail District properties interspersed throughout the project area. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned “C” Apartment District converted to “MF-33” Multi-Family District, properties zoned “J” Commercial District converted to “I-1” General Industrial District, and properties zoned “F” Local Retail District converted to “C-2” Commercial District. Portions of the area delineated in the Resolution approving this Large Area Rezoning were included in the previous West End Hope in Action (WEHA) Large Area Rezoning project and have therefore been excluded from the Gardendale Large Area Rezoning.

Topography: The project area is partially located in the 100-year floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial

Direction: East

Current Base Zoning: Multiple Zoning Districts

Current Land Uses: Single-Family, Multi-Family, Commercial

Direction: South

Current Base Zoning: Multiple Zoning Districts
Current Land Uses: Single-Family, Multi-Family, Commercial

Direction: West

Current Base Zoning: Multiple Zoning Districts
Current Land Uses: Single-Family, Multi-Family, Commercial

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 "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.

Special District Information:

None.

Transportation

Thoroughfare: West Martin Street, North Colorado Street

Existing Character: Minor

Proposed Changes: None Known

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

Traffic Impact: TIA report is not required.

Parking Information: There is no parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "C-2 NA" Commercial Nonalcoholic District, "C-3" General Commercial District, "I-1" General Industrial District, "I-2" Heavy Industrial District, "MF-25" Low Density Multi-Family District, "MF-33" Multi-Family District, "O-2" High-Rise Office District, "R-4" Single-Family Residential District, and "RM-4" Residential Mixed District.

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three, or four dwelling units, “R-4” Residential Single-Family District, “R-4 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-5” Residential Single-Family District, “R-5 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for two, three, or four dwelling units “RM-4” Residential Mixed District, “RM-5” Residential Mixed District, and “RM-6” Residential Mixed District.

FISCAL IMPACT:

There is no fiscal impact.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject area is located within the Downtown Regional Center and is within a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval as Amended, with the property at 1118 North Colorado removed from consideration.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located partially within the Downtown Area Regional Center Adopted Plan and, as such, recommendations are consistent with the future land use designations.
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:** Current zoning of the properties in the subject area is a mixture of residential, industrial, and commercial uses. Staff have reviewed each property for suitability as presently zoned and have made recommendations that 268 properties undergo a zone change. The 2001 adoption of the Unified Development Code converted all 1938 and 1965 zoning districts to the current zoning districts, in turn, this conversion created some non-conforming uses. The rezoning strategy includes, field and data analysis conducted by staff to make appropriate zoning recommendations based on the current use of properties. Various residentially zoned properties are conditionally zoned for two (2) or more dwelling units as part of the rezoning process to avoid non-conforming uses. Properties were removed from the strategy if already appropriately zoned with their current use.
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 proposed large area rezoning does not conflict with the following goals and strategies of the SA Tomorrow Comprehensive Plan, the long-range planning document

that provides policy guidance for future growth, development, land use, infrastructure, and services.

Growth and City Form Goals:

- **GCF Goal 2:** Priority growth areas attract jobs and residents.
- **GCF Goal 5:** Growth and city form support improved livability in existing and future neighborhoods.

Housing Goals and Policies

- **Housing Goal 3:** Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
- **Housing Goal 4:** Improved infrastructure, services and amenities increase market demand and attract residents to priority growth areas.

6. Size of Tract: Approximately 241.03 acres

7. Other Factors: City Council approved a resolution on June 16, 2022 (2022-06-16-0030R), directing the Development Services Department to initiate a large area rezoning to appropriate zoning districts for property located in the Gardendale Neighborhood. The goal is to align zoning with the current use of properties in the area. Throughout the past few decades many areas of the center city have had ongoing concerns regarding zoning inconsistencies. These inconsistencies were the result of the code conversion from the “old” zoning code, which utilized an A-J tiered system of zoning, to the new system we use today. The Large Area Rezoning project is meant to correct these nonconforming issues. Staff is recommending a change of zoning on 264 properties. The Gardendale Large Area Rezoning is a single-phase project, unlike some other Large Area Rezoning projects, and this concludes staff’s recommendations for this area.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.