



# City of San Antonio

## Agenda Memorandum

---

**Agenda Date:** June 15, 2023

**In Control:** City Council

---

**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

PLAN AMENDMENT CASE PA-2023-11600024

(Associated Zoning Case Z-2023-10700096)

**SUMMARY:**

**Comprehensive Plan Component:** Midtown Area Regional Center Plan

**Plan Adoption Date:** June 6, 2019

**Current Land Use Category:** "Neighborhood Mixed Use"

**Proposed Land Use Category:** "Regional Mixed Use"

**BACKGROUND INFORMATION:**

**Planning Commission Hearing Date:** May 10, 2023

**Case Manager:** Elizabeth Steward, Planner

**Property Owner:** Too Legit to Split, LP

**Applicant:** Too Legit to Split, LP

**Representative:** Ortiz McKnight PLLC

**Location:** 310 West Ashby Place

**Legal Description:** All of Block 7, NCB 1897

**Total Acreage:** 1.974

**Notices Mailed****Owners of Property within 200 feet:** 19**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association, Monte Vista Historical Association**Applicable Agencies:** Office of Historic Preservation**Transportation****Thoroughfare:** West Ashby Place**Existing Character:** Collector**Proposed Changes:** None Known**Thoroughfare:** Lewis Street**Existing Character:** Local**Proposed Changes:** None Known**Thoroughfare:** Belknap Street**Existing Character:** Local**Proposed Changes:** None Known**Public Transit:** There is public transit within walking distance of the subject property. Routes served: 20, 90, 4**Comprehensive Plan****Comprehensive Plan Component:** Midtown Area Regional Center Plan**Plan Adoption Date:** June 6, 2019**Plan Goals:**

- Goal 7: Stimulate a Thriving Economy
- Create more employment opportunities to continue attracting a diverse residential population.
- Cultivate target markets related to arts, culture, entertainment, technology, and wellness.
- Goal 10: Pursue Transformative Projects
- Elevate Midtown's aesthetic appeal, stimulate economic growth, and meet local needs by transforming vacant properties and older buildings through reuse, redevelopment, or new development.

**ISSUE:**

None.

**Comprehensive Land Use Categories****Land Use Category:** Neighborhood Mixed Use**Description of Land Use Category:** Contains a mix of residential, commercial, and institutional uses at a neighborhood scale. Within mixed-use buildings, residential units located above first floor are encouraged. Typical first floor uses include, but are not limited to, small office spaces, professional services, and small scale retail establishments and restaurants. The mix of uses may be vertically or horizontally

distributed, and there is no requirement that a single building contain more than one use. Live/work housing options are permissible in Neighborhood Mixed-Use area to ensure access to housing options and services within close proximity for the local workforce. Where practical, buildings are situated close to the public right-of-way, and parking is located behind buildings. Parking requirements may be minimized using a variety of creative methods, such as shared or cooperative parking agreements, to maximize land available for housing and community services. Pedestrian spaces are encouraged to include lighting and signage, and streetscaping should be scaled for pedestrians, cyclists, and vehicles. Properties classified as Neighborhood Mixed-Use should be located in close proximity to transit facilities.

**Permitted Zoning Districts:** R-1, R-2, RM-4, RM-5, RM-6, MF-18, O-1, NC, C-1, MH, MHC, MHP, FBZD, AE-1, AE-2, IDZ-1, and MXD. PUD, TOD and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

**Land Use Category:** Regional Mixed Use

**Description of Land Use Category:** Contains residential, commercial and institutional uses at high densities. Regional Mixed-Use developments are typically located within regional centers and in close proximity to transit facilities, where mid-rise to high-rise buildings would be appropriate. Typical lower floor uses include, but are not limited to, offices, professional services, institutional uses, restaurants, and retail including grocery stores. The mix of uses may be vertically or horizontally distributed, and there is no requirement that a single building contain more than one use. Live/work housing options are permissible in Regional Mixed-Use areas to ensure access to housing options and services within close proximity for the local workforce. Where feasible, development is ideally built at the block scale, with minimum building setbacks. Parking requirements may be satisfied through shared or cooperative parking agreements, which can include off-site garages or lots. If parking requirements are satisfied on-site, structured parking is encouraged. Pedestrian spaces are encouraged to be generous in width and lighting, with streetscaping and signage scaled to pedestrians. Regional Mixed Use projects encourage incorporation of transit facilities into development.

**Permitted Zoning Districts:** Permitted zoning districts: MF-33, MF-40, MF-50, MF-65, O-1.5, O-2, C-2, C-3, D, ED, FBZD, AE-1, AE-2, AE-3, and AE-4. IDZ, PUD, MXD, TOD and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

### **Land Use Overview**

Subject Property

**Future Land Use Classification:**

Neighborhood Mixed Use

**Current Land Use Classification:**

Historic Manor

Direction: North

**Future Land Use Classification:**

No Land Use Classification

**Current Land Use Classification:**

Multi-family units

Direction: East

**Future Land Use Classification:**

Neighborhood Mixed Use

**Current Land Use Classification:**

SAC Childhood Center

Direction: South

**Future Land Use Classification:**

Urban Mixed Use

**Current Land Use Classification:**

Parking Lot and Historic Structure

Direction: West

**Future Land Use Classification:**

Neighborhood Mixed Use

**Current Land Use:**

Temple, School, and Single Family House

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is located within the Midtown Area Regional Center and is located within ½ mile from the new Braunfels Avenue Premium Transit Corridor and the San Pedro Premium Transit Corridor.

**FISCAL IMPACT:**

There is no fiscal impact.

**ALTERNATIVES:**

1. Recommend Denial.
2. Make an alternate recommendation.
3. Continue to a future date.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Planning Commission recommend Approval.

The proposed land use amendment from “Neighborhood Mixed Use” to “Regional Mixed Use” is requested in order to rezone the property to "IDZ-3 HS AHOD" High Intensity Infill Development Zone Historic Significant Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District and Entertainment Venue (outdoor), Bar with a Cover Charge 3 or More Days Per Week, Food Service Establishment with Cover Charge 3 or More Days Per Week, and Hotel taller than thirty-five feet (35').

The request is consistent with the Midtown Area Regional Center Plan's Goal and objective to Support Unique, Mixed Activity Areas and Accommodate growth while preserving distinct characteristics of each part of Midtown and providing thoughtful transitions between uses. There is a mixture of "Neighborhood Mixed Use", "Urban Mixed Use" and "Regional Mixed Use" in the area. The utilization of the entire block is also consistent with "Regional Mixed Use" and will add a mixture of commercial uses and economic opportunities for the area.

**ZONING COMMISSION SUPPLEMENTAL INFORMATION: Z-2023-10700096**

Current Zoning: "O-2 HS AHOD" High-Rise Office Historic Significant Airport Hazard Overlay District

Proposed Zoning: "IDZ-3 HS AHOD" High Intensity Infill Development Zone Historic Significant Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District and Entertainment Venue (outdoor), Bar with a Cover Charge 3 or More Days Per Week, Food Service Establishment with Cover Charge 3 or More Days Per Week, and Hotel taller than thirty-five feet (35')

Zoning Commission Hearing Date: May 16, 2023