



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 21, 2021

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon & Shanon Shea Miller

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

Zoning Case Z-2021-10700312 HL

**SUMMARY:**

**Current Zoning:** "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "O-2" High-Rise Office District, "C-3" General Commercial District and for Multi-Family not to exceed 110 units per acre, Live-Work Units, Night Club with cover charge 3 or more days per week, Bar and /or Tavern with cover charge 3 or more days per week, Alcohol Beverage Manufacture or Brewery, Hotel taller than 35 feet, Beverage Manufacture Non-Alcohol (including manufacturing and processing), Entertainment Venue (outdoor), Live Entertainment with and without cover charge 3 or more days per week (not including food service establishments), Food Service Establishments with cover charge 3 or more days per week (with or without accessory Live Entertainment)

**Requested Zoning:** "IDZ HL RIO-2 AHOD" Infill Development Zone Historic Landmark River Improvement Overlay Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District, "O-2" High-Rise Office District, "C-3" General Commercial District and for Multi-Family not to exceed 110 units per acre, Live-Work Units, Night Club with cover charge 3 or more days per week, Bar and /or Tavern with cover charge 3 or more days per week, Alcohol Beverage Manufacture or Brewery, Hotel taller than 35 feet, Beverage Manufacture Non-Alcohol (including manufacturing and processing), Entertainment Venue (outdoor), Live Entertainment with and without cover charge 3 or more days per week (not including food service establishments), Food Service Establishments with cover charge 3 or more days per week (with or without accessory Live Entertainment)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 21, 2021

**Case Manager:** Summer McCann, Planner

**Property Owner:** Rio Perla Properties LP

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 221 Newell Street

**Legal Description:** Lots 25 - 32, south irregular part of Lots 33 – 39, and Lot 40, NCB 959 (1.3930 acres out of NCB 959)

**Total Acreage:** 1.3930 Acres

**Notices Mailed**

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

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

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The property was part of the original 36 square miles of the City of San Antonio and zoned “K” Commercial District. The property was rezoned to “I-1” Light Industry District by Ordinance 83330, dated December 14, 1995. 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. The property was rezoned to “IDZ” Infill Development Zone District with uses permitted in “RM-4” Residential Mixed District, “O-2” High-Rise Office District, “C-3” General Commercial District and for Multi-Family not to exceed 110 units per acre, Live-Work Units, Night Club with cover charge 3 or more days per week, Bar and /or Tavern with cover charge 3 or more days per week, Alcohol Beverage Manufacture or Brewery, Hotel taller than 35 feet, Beverage Manufacture Non-Alcohol (including manufacturing and processing), Entertainment Venue (outdoor), Live Entertainment with and without cover charge 3 or more days per week (not including food service establishments), Food Service Establishments with cover charge 3 or more days per week (with or without accessory Live Entertainment) by Ordinance 2018-10-04-0792, dated October 4, 2018.

**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:** “IDZ”

**Current Land Uses:** Food Hall

**Direction:** East

**Current Base Zoning:** "IDZ"

**Current Land Uses:** Multi-Family

**Direction:** South

**Current Base Zoning:** "D"

**Current Land Uses:** Multi-Family

**Direction:** West

**Current Base Zoning:** "I-1", "IDZ"

**Current Land Uses:** Multi-Family

**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:** Newell

**Existing Character:** Minor

**Proposed Changes:** None Known

**Thoroughfare:** Karnes

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements

**Parking Information:** The proposed rezoning is for the application of historic designation and does not change the parking requirement.

**ISSUE:** None.

**ALTERNATIVES:**

**Current Zoning:** “IDZ” To provide flexible standards for the development and reuse of underutilized parcels within a qualifying area of the city. Although this district still exists, it is no longer approved for new properties.

**Proposed Zoning:** “IDZ” To provide flexible standards for the development and reuse of underutilized parcels within a qualifying area of the city. Although this district still exists, it is no longer approved for new properties.

The “HL” adds a Historic Overlay.

**FISCAL IMPACT:** None.

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

The subject property is within the Midtown Regional Center and within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 with the Midtown Regional Center Plan. Application of the historic overlay is consistent with the goals and objectives of the adopted plan.
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 rezoning is for the application of historic designation and does not change the current "IDZ" Infill Development Zone base zoning district or uses.
3. **Suitability as Presently Zoned:** The proposed rezoning is for the application of historic designation and does not change the current "IDZ" Infill Development Zone base zoning or 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 request does not appear to conflict with any public policy objectives of the Midtown Regional Center Plan.

**Relevant Goals, Recommendations and Strategies of the Midtown Regional Center Plan may include:**

Goal 1: Preserve Midtown’s District character (Maintain buildings with exemplary historic character).

Goal 4: Support Unique, Mixed Activity Areas (Accommodate growth while preserving distinct characteristics of each part of Midtown and providing thoughtful transitions between uses).

6. **Size of Tract:** The 1.3930 acre site is of sufficient size to accommodate the existing and proposed uses.
7. **Other Factors:** The request for landmark designation was initiated by the owner.

On July 21, 2021, the Historic and Design Review Commission (HDRC) approved a Finding of Historic Significance, identifying the property as historically significant based on criteria listed in Section 35-607 (b) of the Unified Development Code. The criteria identified as being applicable to the subject property are specified below.

HDRC concurred with the applicant that 221 Newell met UDC criterion [35-607(b)3], [35-607(b)4], [35-607(b)6], and [35-607(b)7] for a finding of historic significance in the process of seeking designation as a local historic landmark. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 221 Newell meets four.

3. **Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation;** Samuels Glass was founded in San Antonio in 1914 by Lawrence Samuels. It is still owned by the same family and continues to operate throughout south Texas.
4. **Its identification as the work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community, county, state, or nation;** the building was designed by San Antonio architect Bartlett Cocke, Sr., FAIA, with structural engineer W.E. Simpson, P.E.; both were prolific design professionals who designed and oversaw construction of numerous structures at the Pearl Brewery as well as throughout San Antonio and south Texas.
6. **Its historical, architectural or cultural character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures;** Samuels Glass building was designed and constructed as a blend of two commercial activities: office and warehouse. Each of these portions is defined by the use of appropriate materials.
7. **Its unique location or singular physical characteristics that make it an established or familiar visual feature;** the unusual, wedge-shaped building was built close to the San Antonio River and along the curving railroad tracks of the Texas Transportation Company, owned and operated from 1887 until 2001 by Pearl Brewery, located just north of the Samuels Glass building. Having been built in 1948 and having no major alterations, it has been in this originally industrial area just north of downtown San Antonio for over 70 years.

