



City of San Antonio

Agenda Memorandum

Agenda Date: February 1, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

Zoning Case Z-2021-10700056
(Associated Plan Amendment PA-2021-11600015)

SUMMARY:

Current Zoning: "C-3NA UC-6 AHOD" General Commercial Nonalcoholic Sales San Pedro Urban Corridor Airport Hazard Overlay District and "C-2P UC-6 AHOD" Commercial Pedestrian Nonalcoholic Sales 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 permitted for up to 100 units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: February 1, 2022

Case Manager: Rebecca Rodriguez, Planner

Property Owner: Mireles Properties LLC and Marquee Investments LLC

Applicant: Brown & Ortiz, P.C.

Representative: Brown & Ortiz, P.C.

Location: 419 San Pedro and 425 San Pedro

Legal Description: 0.924 acres out of NCB 769

Total Acreage: 0.924

Notices Mailed

Owners of Property within 200 feet: 27

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

Applicable Agencies: Fort Sam Houston, Texas Department of Transportation

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: Non-Profit Office

Direction: South

Current Base Zoning: C-2P

Current Land Uses: Food Service Establishment

Direction: East

Current Base Zoning: C-3

Current Land Uses: Food Service Establishment

Direction: West

Current Base Zoning: MF-33

Current Land Uses: Multi-Family Complex

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:

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

Transportation

Thoroughfare: San Pedro Avenue

Existing Character: Primary Arterial Type B

Proposed Changes: None

Thoroughfare: Marshall Street

Existing Character: Local

Proposed Changes: None

Public Transit: There are VIA bus routes are within walking distance of the subject property. Routes Served: 4, 95, 96, 97, and 296

Traffic Impact: “IDZ” Infill Development Zone is exempt from TIA requirements. “D” Downtown District is also exempt from TIA requirements. We do recommend that driveway queuing be analyzed to ensure that queues do not spill back into public right-of-way. San Pedro is identified on the City's Major Thoroughfare Plan as (Primary Arterial Type B 70' - 120' ROW). ROW dedication and improvement may be required. Arterials require min. 48' pavement - 24' from centerline. Per UDC Table 506-3, note 5 bike facilities are required on all arterials along with sidewalks. ROW dedication and improvement may be required along Jackson, and Marshall.

Parking Information: The minimum parking requirement for multi-family development of 100 units is 1.5 spaces per unit. “IDZ-3” waives the minimum parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-3NA” General Commercial Nonalcoholic Sales districts are identical to “C-3” General Commercial districts except that the sale of alcoholic beverages is prohibited. C-2P districts are identical to C-2 districts except that there is a 35-foot maximum front setback, rear parking requirements, and additional window requirements.

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.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

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

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with Alternate Recommendation for “IDZ-2” Mid-Intensity Infill Development Zone with uses permitted in “MF-40” Multi-Family District.

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 Regional Center Plan and is currently designated as Urban Mixed Use in the future land use component of the plan. The requested “IDZ-3” with uses permitted for up to 100 units is not consistent with the future land use designation. The applicant has requested a Plan Amendment to Regional Mixed Use. Staff recommends Denial. Planning Commission recommends 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, however, inconsistent with the established development pattern of the surrounding area as the multi-family uses found in the area are lower in density.
3. **Suitability as Presently Zoned:** The existing “C-3NA” General Commercial Nonalcoholic Sales is not an appropriate zoning but the existing “C-2P” Commercial Pedestrian Districts is an appropriate zoning for the property and surrounding area. The proposed “IDZ-3” with uses permitted for up to 100 units is not appropriate due to the high density of units being proposed for the site. Apart from the subject site, most uses found along this section of San Pedro Avenue are lower intensity commercial uses to act as a buffer between the higher intensity commercial uses to the East of San Pedro Avenue and the multi-family uses to the West of the property. Thus, staff recommends denial with an alternate recommendation of “IDZ-2” with uses permitted in “MF-40” Multi-Family District to lower the density and number of units for the subject site.
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 appear to conflict with public policy objectives of the Midtown Area Regional Center Plan. The subject property is located within the Five Points Neighborhood Association and the Midtown Area Regional Center Plan area. The site presently consists of an automotive repair business and professional office building and associated surface parking areas. The proposed zoning change is requested to allow the site to be developed as multi-family with up to 100 residences on 0.924 acres of land.

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

Land Use Recommendation #1: Initiate rezoning in selected mixed-use corridors and focus areas and update the Unified Development Code to support transit-oriented development, mixed-use corridors, and centers with a high-quality public realm.

LU Strategy 1.3: Where the private market is strong enough, the City should support property owner-initiated rezoning in other mixed-use corridors and focus areas, using requirements and bonuses to incentivize more diverse and affordable housing and a high quality public realm.

Housing Recommendation #1: Ensure that zoning supports a context sensitive supply of diverse housing to support Midtown's expected household growth.

Five Points Neighborhood Priorities:

- Encourage new neighborhood scale houses and apartments on empty land in the neighborhood instead of replacing existing housing stock.

6. **Size of Tract:** The 0.924-acre site is of sufficient size to reasonably accommodate a residential development.
7. **Other Factors** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses for up to 100 units.

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.