



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 7, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2022-10700118

**SUMMARY:**

**Current Zoning:** "D H HE AHOD" Downtown Historic St. Paul Square Historic Exceptional Airport Hazard Overlay District

**Requested Zoning:** "IDZ-3 H HE AHOD" High Intensity Infill Development Zone Historic St. Paul Square Historic Exceptional Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District and "D" Downtown District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 7, 2022

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** East Commerce Realty, LLC

**Applicant:** Don Thomas

**Representative:** Frank Pakuszewski

**Location:** 119 Heiman

**Legal Description:** Lot 35, Block 1, NCB 679

**Total Acreage:** 0.053 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 27

**Registered Neighborhood Associations within 200 feet:** Downtown Residents Association

**Applicable Agencies:** Office of Historic Preservation, Planning Department

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of San Antonio and zoned “K” Commercial District and “L” Manufacturing District. The property rezoned under Ordinance 79329, dated December 16, 1993 from “K” Commercial District and “L” Manufacturing District to “B-4” Central Area Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-4” Central Area Business District rezoned to the current “D” Downtown District.

**Topography:** The subject property was located in the Aquifer Artesian Zone and Upper SAR Watershed.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** D

**Current Land Uses:** Bar, Restaurant

**Direction:** South

**Current Base Zoning:** D

**Current Land Uses:** Office, Hotel

**Direction:** East

**Current Base Zoning:** D

**Current Land Uses:** Empty Lot, Nightclub, Video Production Service

**Direction:** West

**Current Base Zoning:** D, UZROW

**Current Land Uses:** Empty Lot, Physical Therapist, I-37 Access Road

### **Overlay District Information:**

The St. Paul Square Historic District is an overlay district which was adopted in 1978. This district does not regulate use of the property but does enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

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:** Heiman

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Sycamore Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** I-37 Access Road

**Existing Character:** Interstate Access Road

**Proposed Changes:** None Known

**Public Transit:** There are three (3) VIA bus routes within proximity to the subject property.

**Routes Served:** 25,28, 230

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement is 1 per 300 sf GFA. "IDZ-3" High Intensity Infill Development Zone District waives the minimum parking requirement by 50%.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current Zoning:** The "D" Downtown District provides concentrated downtown retail, service, office and mixed uses in the existing central business district. There are no building size or height limitations, and parking requirements are waived. Examples of permitted uses: bar/tavern, indoor theater, taxi & limousine service, residential uses, hotel, art gallery and/or studio, offices (no restrictions on square footage unless otherwise prescribed), and telephone equipment infrastructure.

**Proposed Zoning:** The "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.

The proposed "IDZ-3" would allow "C-3" Commercial uses and "D" Downtown District uses.

### **FISCAL IMPACT:**

None.

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

The subject property is within proximity to a Regional Center and 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 within the SA Tomorrow Downtown Area Regional Center Plan and is currently designated as "Regional Mixed Use" in the future land use component of the plan. The requested "IDZ-3" High Intensity Infill Development Zone base zoning district is consistent with the future land use designation.
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. Surrounding properties are primarily "D" Downtown District. The addition of "IDZ-3" High Intensity Infill Development Zone District with uses permitted in "C-3" General Commercial District and "D" Downtown District is appropriate given the area's high-intensity commercial character. The current "D" Downtown District does not allow Tattoo Parlor or Body Piercing, so the applicant is requesting "C-3" General Commercial District to allow the use and keeping the "D" Downtown District to maintain the current uses on the property. In general, the "D" Downtown District allows many more uses than other zoning districts, thus the addition of the "C-3" General Commercial uses is complimentary and appropriate and does not require limitation.
3. **Suitability as Presently Zoned:** The existing "D" Downtown District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-3" High Intensity Infill Development Zone District with uses permitted in "C-3" General Commercial District and "D" Downtown District is also an appropriate zoning for the property and surrounding area.
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 objective. Relevant Goals and Policies of the Downtown Area Regional Center Plan may include:

**Goal 4: Diversify the Mix of Uses in the Downtown Core Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:**

GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.

GCF Goal 2: Priority growth areas attract jobs and residents

JEC Goal 1: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses.

JEC Goal 4: San Antonio's economic environment fosters innovation and attracts new and innovative businesses, investment and industries.

6. **Size of Tract:** The 0.053-acre site is of sufficient size to accommodate the proposed uses and development.
7. **Other Factors:** The applicant seeks to rezone to allow for the uses of Tattoo Parlor and Body Piercing.

This property is located within the St Paul Square Historic District. Any future exterior modifications or new construction will require written approval from the Office of Historic Preservation. Approval of a zoning change does not supersede any requirements for design review outlined in Article VI of the Unified Development Code.