



City of San Antonio

Agenda Memorandum

Agenda Date: November 1, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

ZONING CASE Z-2022-10700163

(Associated Plan Amendment PA-2022-11600076)

SUMMARY:

Current Zoning: "C-2 UC-5 AHOD" Commercial Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "R-6 UC-5 AHOD" Residential Single-Family Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District

Requested Zoning: "IDZ-2 UC-5 AHOD" Medium Intensity Infill Development Zone Main Avenue/McCullough Avenue Urban Corridor Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 1, 2022. This case was continued from the August 2, 2022, August 16, 2022, September 6, 2022, September 20, 2022, October 4, 2022 and the October 18, 2022 hearings.

Case Manager: Elizabeth Steward, Planner

Property Owner: MIV 2200 LLC

Applicant: JWDD Capital, LLC

Representative: Killen, Griffin, & Farrimond PLLC

Location: 2200 McCullough Avenue

Legal Description: Lot A, Lot B, Lot C, Lot D, Lot F, Lot 2B, Block 2, NCB 1714

Total Acreage: 1.249

Notices Mailed

Owners of Property within 200 feet: 49

Registered Neighborhood Associations within 200 feet: The Tobin Hill Community Association and Monte Vista

Applicable Agencies: Fort Sam Military Base, Planning Department

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned "B" Residence District and "D" Apartment District. The property was rezoned by Ordinance 83331, dated December 14, 1995 to "B-2" Business District and "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2" Business District converted to the current "C-2" General Commercial District and the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family 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: IDZ

Current Land Uses: Residential Dwelling

Direction: South

Current Base Zoning: C-1

Current Land Uses: Professional Office

Direction: East

Current Base Zoning: R-6

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: R-4

Current Land Uses: San Antonio Academy- School

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 “UC-5” Commercial Main Avenue/McCullough Avenue 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.

Special District Information: N/A

Transportation

Thoroughfare: McCullough Avenue

Existing Character: Minor Secondary Arterial

Proposed Changes: None Known

Thoroughfare: East Russell Place

Existing Character: Local

Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 5, 90, 204

Traffic Impact: The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is not required.

Parking Information: The minimum parking for a Professional office is 1 space per 300 sf GFA. The “IDZ-2” waives the minimum parking requirement by 50%.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-2” Commercial Districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining. Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: “IDZ-2” Medium Intensity Infill Development Zone allows rezoning requests up to 50 units per acre and uses permitted in “C-2” and “O-1.5”. All approved uses 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-2” will allow “C-2” Commercial District uses.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located with the Midtown Regional Center and within ½ a mile from the New Braunfels Avenue Premium Transit Corridor and the San Pedro Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval, pending Plan Amendment.

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 “Neighborhood Mixed Use” in the future land use component of the plan. The requested “IDZ-2” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Urban Mixed Use”. Staff recommends Approval. The Planning Commission recommendation is pending the November 16, 2022, hearing.
- 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. The requested “IDZ-2” Medium Intensity Infill Development Zone would allow the same base zoning uses as the current “C-2” Commercial District to a prescribed site plan and a height limitation of no more than 4 stories.
- 3. Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The requested “IDZ-2” with uses permitted in “C-2” Commercial District is also appropriate, as it is located along McCullough Avenue, a predominantly commercial corridor. Surrounding properties also carry the “IDZ” Infill Development Zone, “C-1” Light Commercial and “C-2” Commercial District zoning designations.
- 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.
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

- GCF Policy 9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.

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

- LU

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

- LU Recommendation #4: Land use decisions should support the continued use or adaptive-reuse of existing structures that contribute to the essential character of the Midtown Area.
- ED Strategy 1.1: Encourage the development and rehabilitation of buildings for office space, arts and culture within the Midtown Area's mixed-use areas through supportive zoning and incentives where needed.

6. **Size of Tract:** The 1.249 acre site is of sufficient size to accommodate the proposed commercial 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 objections to this request.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.

The applicant is rezoning to operate professional offices and a self-service storage facility. The zoning request includes a request for nonresidential uses or multifamily uses adjacent (refer to definition in Appendix A as there is a difference between abutting and adjacent) to an existing single family residential use, the applicant is required to construct and maintain a 6-foot solid screen fence, prior to obtaining a Certificate of Occupancy, per Section 35-514(d). The applicant can request City Council modify or exempt this requirement.