



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-5094

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 9/1/2020

**Title:** ZONING CASE Z-2020-10700174 S (Council District 2): A request for a change in zoning from "NC HL AHOD" Neighborhood Commercial Historic Landmark Airport Hazard Overlay District to "NC S HL AHOD" Neighborhood Commercial Historic Landmark Airport Hazard Overlay District with a Specific Use Authorization for a Medical Clinic on Lots 7 and Lot 9, Block E, NCB 646, located at 812 South Hackberry Street. Staff recommends Approval. (Michael Pepe, Planner, (210) 207-8208, Michael.Pepe@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2020-10700174

**SUMMARY:**

**Current Zoning:** "NC HL AHOD" Neighborhood Commercial Historic Landmark Airport Hazard Overlay District

**Requested Zoning:** "NC S HL AHOD" Neighborhood Commercial Historic Landmark Airport Hazard Overlay District with a Specific Use Authorization for a Medical Clinic

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 1, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Melissa Walker

**Applicant:** Melissa Walker

**Representative:** Melissa Walker

**Location:** 812 South Hackberry

**Legal Description:** Lots 7 and Lot 9, Block E, NCB 646

**Total Acreage:** 0.2235

**Notices Mailed**

**Owners of Property within 200 feet:** 37

**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned “J” Local Retail District. The property was rezoned from “J” to “R-2” Two Family District by Ordinance 79329, on December 16, 1993. The subject property converted from “R-2” Two Family District to “RM-4” Residential Mixed District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001. The property was later rezoned from “RM-4” to “NC” Neighborhood Commercial District by Ordinance 100041 in 2004.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “NC”

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Single-Family Dwellings

**Direction:** West

**Current Base Zoning:** “C-2”

**Current Land Uses:** Vacant , Laundromat

**Direction:** South

**Current Base Zoning:** “NC”

**Current Land Uses:** Single-Family Dwelling

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

“HL” or “HS”

Historic Landmarks are those considered to be important or unique in terms of historic, cultural, archeological significance and their demolition would mean a serious or irreplaceable loss to the quality and character of the

city. Previously “HS” Historic Significant and “HE” Historic Exceptional designations. Additional design standards, regulated by the Office of Historic Preservation apply in these districts.

**Transportation**

**Thoroughfare:** Hackberry

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.  
Route Served: 26, 28, 30, 230

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The minimum parking requirement for a Medical Clinic is 1 space per 400 gross square feet.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** Provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

**Proposed:** Provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant. The “S” would a Specific Use for a Medical Clinic, pursuant to a site plan.

**FISCAL IMPACT:**

None.

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

The property is within the Arena District Plan and is 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 the approval criteria below.

**1. Consistency:**

The subject property is located within the Arena District Plan and is designated as “Neighborhood Commercial” in the future land use plan. The requested “NC” is consistent with the current 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 requested “NC S” adds a Specific Use Authorization for consideration of only the right to a small medical clinic, in addition to the uses allowed in “NC”.

**3. Suitability as Presently Zoned:**

The current “NC” Neighborhood Commercial District is an appropriate zoning for the property situated next to the interstate highway and within the Downtown region.

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Arena District Plan:

The proposed “NC” zoning is consistent with the adopted Land Use Plan of the Arena District Plan, which classifies the subject property as “Neighborhood Commercial.

2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations

4.3 Reinforce Neighborhood Commercial nodes at cross streets

**6. Size of Tract:**

The subject property is 0.2235 acres, which could reasonably accommodate requested use as a medical clinic.

**7. Other Factors:**

The applicant is requesting the zoning change operate a medical clinic in the existing building.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

This property is an individual historic local landmark. Any future site elements (landscaping or hardscaping), signage, 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.