



# City of San Antonio

## Agenda Memorandum

**File Number:** 18-4489

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**Agenda Item Number:** Z-5.

**Agenda Date:** 8/16/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018239

**SUMMARY:**

**Current Zoning:** "C-3NA NCD-5 AHOD" General Commercial Nonalcoholic Sales Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District

**Requested Zoning:** "IDZ NCD-5 AHOD" Infill Development Zone Beacon Hill Area Conservation Airport Hazard Overlay District with uses permitted in "C-3" General Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 17, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Max Woodward, San Antonio City Real Estate, LLC

**Applicant:** Max Woodward

**Representative:** Max Woodward

**Location:** 823 Fredericksburg Road and 829 Fredericksburg Road

**Legal Description:** 0.206 acres out of NCB 1994

**Total Acreage:** 0.206

**Notices Mailed**

**Owners of Property within 200 feet:** 33

**Registered Neighborhood Associations within 200 feet:** Beacon Hill Neighborhood Association and Uptown

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Neighborhood Association

**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property is located within the 1938 Original City Limits of San Antonio and was zoned "J" Commercial District. The zoning changed to "B-3NA" Non-Alcoholic Sales Business District on September 25, 1997, established by Ordinance 86704. The current "C-3NA" General Commercial Nonalcoholic Sales District converted from the previous "B-3NA" base zoning district upon adoption of the 2001 Unified Development Code (UDC) established by Ordinance 93881, dated May 3, 2001.

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

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

**Direction:** North

**Current Base Zoning:** C-2

**Current Land Uses:** Restaurant

**Direction:** East

**Current Base Zoning:** C-2, C-3N, R-6

**Current Land Uses:** Parking Lot, Retail Shop, Single-Family Residential

**Direction:** South

**Current Base Zoning:** R-6

**Current Land Uses:** Duplexes, Single-Family Residential

**Direction:** West

**Current Base Zoning:** C-3NA, C-2, R-6

**Current Land Uses:** Upholstery Shop, Single-Family Residential

**Overlay and Special District Information:** 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.

The Beacon Hill Neighborhood Conservation District (NCD-5) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** Fredericksburg Road

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Public Transit:** There is a bus stop within walking distance on Fredericksburg Road along Bus Routes 95, 96, 97, 289, and 296.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. Infill Development Zone (IDZ) is

exempt from TIA requirements.

**Parking Information:** Parking is waived per the requested “IDZ” base zoning district.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited. C-3 districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center and is located within a half-mile of the Fredericksburg Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-1) recommend 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 Midtown Neighborhood Plan and is currently designated as “Mixed Use” in the land use component of the plan. The requested “IDZ” base zoning district is consistent with the adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found 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 subject property is fronting Fredericksburg Road and directly abuts commercial uses on either side.

**3. Suitability as Presently Zoned:**

The existing “C-3NA” base zoning district is appropriate for the surrounding area. The uses permitted within the “C-3” base zoning district are appropriate as the subject property fronts Fredericksburg Road, a secondary arterial.

**4. Health, Safety and Welfare:**

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The

applicant is requesting the zone change in order to reopen an existing hostel and allow a meadery.

## **5. Public Policy:**

The request does not appear to conflict with any public policy objective. The property is within the Midtown Neighborhoods Plan (2000). The Midtown Neighborhoods Plan classified the site and surrounding area as “Mixed Use”. Mixed Use under the Midtown Neighborhood identified commercial development at a higher intensity would be the most common land use. Fredericksburg Road was also identified in the plan to develop as a mixed-use commercial center that utilizes restored and revitalized existing commercial structures.

Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan may include:

GCF Goal 4: Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.

GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.

GCF P9: 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.

JEC P31: Create gathering places that encourage interactions between people within regional centers and along transit and other transportation corridors.

HPCH P11: Target incentives that stimulate reinvestment in neighborhoods and encourage preservation, rehabilitation and adaptive reuse of existing community assets.

The rezoning request is consistent with several of the goals and policies of the SA Tomorrow Comprehensive Plan. Likewise, the proposal is generally consistent with the recommendations of the Midtown Neighborhoods Plan to support the use of existing commercial areas for mixed-use development and to enhance the pedestrian environment around area businesses. The proposed development would also need to be consistent with the Beacon Hill Neighborhood Conservation District residential design standards.

## **6. Size of Tract:**

The 0.206 acre site is of sufficient size to accommodate the proposed development.

## **7. Other Factors:**

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

The applicant’s request meets the following requirements:

- Master Plan’s Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.
- Master Plan’s Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.

- Master Plan's Policy for Neighborhoods - Policy 1d, because it promotes conversion or adaptive reuse of vacant or underutilized commercial buildings to provide affordable infill housing.
- Master Plan's Policy for Urban Design - Policy 1e, because it allows zero setbacks for commercial and multi-family developments.
- Master Plan's Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.