



# City of San Antonio

## Agenda Memorandum

**File Number:**20-5131

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**Agenda Item Number:** 7.

**Agenda Date:** 9/1/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z-2020-10700164 S

**SUMMARY:**

**Current Zoning:** "R-6 H AHOD" Residential Single-Family Monticello Park Historic Airport Hazard Overlay District and "R-6 H UC-3 AHOD" Residential Single-Family Monticello Park Historic Fredericksburg Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "R-6 S H AHOD" Residential Single-Family Monticello Park Historic Airport Hazard Overlay District with Specific Use Authorization for a Childcare Facility and "R-6 S H UC-3 AHOD" Residential Single-Family Monticello Park Historic Fredericksburg Urban Corridor Airport Hazard Overlay District with Specific Use Authorization for a Childcare Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 1, 2020. This case is continued from the August 18, 2020 zoning history.

**Case Manager:** Justin Malone, Planner

**Property Owner:** Fritz Norman, Bill Gisler, and Karl Barsun

**Applicant:** Andrew Bencoster

**Representative:** Roxanna Garza

**Location:** 2507 Fredericksburg Road

**Legal Description:** Lots 18-23 and the east 40-feet of Lot 17, Block 17, NCB 6707

**Total Acreage:** 1.2311

## **Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Monticello Park Neighborhood Association, Los Angeles Heights Neighborhood Association

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property was part of the original thirty-six (36) square miles of San Antonio and was originally zoned "A" Single Family District. The subject property was rezoned from "A" Single Family District to "R-1" Single-Family Residence District on November 20, 1986 by Ordinance 64079. The subject property converted from "R-1" Residence District to "R-6" Residential Single-Family with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001.

**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:** "C-3", "C-3 NA"

**Current Land Uses:** Car Wash, Parking Lot

**Direction:** South

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

**Current Land Uses:** Residential, Office

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "C-2 CD", "C-2"

**Current Land Uses:** Television Retail Store, Tire Retail Store, Temp Agency

## **Overlay and Special District Information:**

"H"

The surrounding properties are located in the Monticello Park Historic District, which was adopted in 1995. Historic districts do not regulate use of the property, but do 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.

"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.

## **Transportation**

**Thoroughfare:** Fredericksburg Road

**Existing Character:** Arterial

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 95, 96, 97, 296

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

**Parking Information:** The parking requirement for a day care center is one (1) parking space per 375 sf GFA.

**ISSUE:**

None.

#### **ALTERNATIVES:**

**Current:** The present zoning district designation of “R-6” Residential Single-Family are designed to provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing single-family dwellings and commercial businesses along the Fredericksburg Road corridor. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed “C-2” Commercial District is designed to accommodate Community Commercial uses such as art galleries, restaurants, offices, and limited retail sales with some outdoor display of goods. Community Commercial uses are typically located on arterials at major intersections (nodes) or in established commercial areas along arterials. Other examples of Community Commercial uses include convenience stores with gas stations, grocery stores, and community shopping centers.

#### **FISCAL IMPACT:**

None.

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

The subject property is not within a regional center 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 Near Northwest Community Plan and is currently designated as “Community Commercial” in the future land use component of the plan. The requested “C-2” base-zoning district is consistent with the future land use designation.

The applicant is amending their request to “R-6 S” Residential Single-Family with Specific Use Authorization for a Childcare Facility. This will trigger a plan Amendment to “Low Density Residential.” The Planning Commission meeting is scheduled for September 9, 2020.

##### **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 and along the arterial corridor.

### **3. Suitability as Presently Zoned:**

The existing “R-6” Residential Single-Family base zoning is appropriate for the surrounding area. The proposed “C-2” is suitable to the area and would allow the applicant to proceed with the licensed childcare center.

### **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 Near Northwest Community Plan:

#### **Goal 2- Economic Development**

Ensure the Near NW Community’s business corridors are filled with a mix of uses including professional offices, residences and busy shops, providing neighbors an attractive place to walk for shopping, playing, working and relaxing both day and night

- **Objective 2.2: Business Development**

Create opportunities for new business development to ensure a diversity of attractive businesses in pedestrian friendly environments

- **Action Steps 2.2.2:** Encourage new business development to locate in existing commercial areas in need of revitalization and promote existing business enhancement
  - Encourage a mix of uses within the commercial areas including business and residential development

- **Objective 2.4: Business Support**

Instigate community efforts to support area business assets

- **Action Steps 2.4.1:** Establish a regular forum for churches and businesses to address community needs and create partnerships

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

The subject property is 1.2311 acres, which could reasonably accommodate a Day Care Center.

### **7. Other Factors:**

The applicant’s intended use of this property is to establish a licensed childcare center providing services to 56 children, ages 6 weeks to 3 years of age. This location will have a central kitchen to provide breakfast, lunch, and snack to the children enrolled. An age appropriate playground will also be installed.

**This property is located within the Monticello Park Historic District. Any new construction will require approval from the Office of Historic Preservation. Approval of a site plan or materials submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Office of Historic Preservation for associated work.**