



# City of San Antonio

## Agenda Memorandum

**File Number:**21-2494

---

**Agenda Item Number:** Z-6.

**Agenda Date:** 4/15/2021

**In Control:** City Council A Session

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:** Zoning Case Z2021-10700015 HL

**SUMMARY:**

**Current Zoning:** "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District

**Requested Zoning:** "C-3R HL AHOD" General Commercial Restrictive Alcoholic Sales Historic Landmark Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 16, 2021

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** MP2 Urban Development

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 2602 North Flores Street

**Legal Description:** The south 83.34 feet of Lot 11 and Lot 12, Block 39, NCB 1865

**Total Acreage:** 0.1731 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** Alta Vista Neighborhood Association

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

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the city and was originally zoned “H” Local Retail District. The property was rezoned to “B-3R” Restrictive Business District by Ordinance 86704, dated September 25, 1997. The previous “B-3R” district converted to the current “C-3R” General Commercial Restrictive Alcoholic Sales District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 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-3R” and “R-4”

**Current Land Uses:** Single-family dwellings

**Direction:** East

**Current Base Zoning:** “C-3R” and “R-6”

**Current Land Uses:** Single-family dwellings

**Direction:** South

**Current Base Zoning:** “MF-33,” “R-6” and “RM-4”

**Current Land Uses:** Multi-family dwellings, single-family dwellings

**Direction:** West

**Current Base Zoning:** “C-2,” “RM-4” and “R-6”

**Current Land Uses:** Convenience store, ATM, single-family dwellings, duplex

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

"HL"

A number of surrounding properties carry the “HS” Historic Significant landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property but do regulate the exterior aesthetic of the structure. 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:** North Flores Street

**Existing Character:** Minor

**Proposed Changes:** None

**Thoroughfare:** West Russel Place

**Existing Character:** Minor

**Proposed Changes:** None

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

**Routes Served:** 4, 20, 90

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** There is no minimum parking requirement for a historic landmark designation.

**ISSUE:** None.

#### **ALTERNATIVES:**

**Current:** The current "C-3R" General Commercial Restrictive Alcohol Sales District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets. District regulations within the "C-3R" district are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises consumption shall be permitted.

**Proposed:** The proposed "C-3R" General Commercial Restrictive Alcohol Sales District permits general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets. District regulations within the "C-3R" district are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises consumption shall be permitted.

The proposed rezoning maintains the base zoning district and adds the "HL" Historic designation.

**FISCAL IMPACT:** None.

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

The property is not within a regional center but is within a premium transit corridor.

#### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) 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 Neighborhoods Plan and is currently designated as “Low Density Residential.” The requested “R-6” is consistent with the future land use designation; the applicant seeks a historic landmark 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.

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

The current “C-3R” General Commercial Restrictive Alcohol Sales District is an appropriate zoning for the property and surrounding area. The proposed request maintains the same base zoning and adds a historic designation.

## **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 Midtown Neighborhoods Plan:

Goal 1: Revitalize and enhance the neighborhoods’ historic commercial centers.

Goal 2: Promote a safe, clean and livable environment for area residents and future generations, while preserving the traditional character of the Midtown neighborhoods.

Objective 2.2: Maintain the historic character of the neighborhoods’ housing while building on the increased demand for area homes to attract reinvestment by new families.

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

The subject property is 0.1731 acres, which could reasonably accommodate a historic landmark.

## **7. Other Factors:**

The request for landmark designation was initiated by the owner.

On January 20, 2021, the Historic and Design Review Commission (HDRC) approved a Finding of Historic Significance, identifying the property as historically significant based on criteria listed in Section 35-607 (b) of the Unified Development Code. The criteria identified as being applicable to the subject property are specified below.

HDRC concurred with the applicant that 2602 N Flores met UDC criterion [35-607(b)6], [35-607(b)11], and [35-607(b)13] for a finding of historic significance in the process of seeking designation as a local historic landmark. In order to be eligible for landmark designation, a property must meet at least three of the criteria; 2602 N Flores meets three.

- 6. Its historical, architectural or cultural character as a particularly fine or unique example of a utilitarian structure, including, but not limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures;** the structure was built as a neighborhood filling station c. 1926 that included canopy and a corner-oriented entrance, all still discernable despite modifications to the exterior.
- 11. It is distinctive in character, interest or value; strongly exemplifies the cultural, economic, social, ethnic or historical heritage of San Antonio, Texas or the United States;** for its long-term function as a neighborhood filling station, offering employment opportunities for local mechanics and attendants, and later as a convenience store, ice house, and music venue.
- 13. It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic or cultural motif;** the property was included in a 2013 survey of historic gas stations in San Antonio. It is located in the Alta Vista neighborhood conservation district (NCD-2), recognized by staff as an eligible local historic district. Were

the neighborhood to choose designation, 2602 N Flores would contribute to the district. Additionally, the property served as the second location of the Witherspoon Refinery Co; the first Witherspoon location at 601 N Alamo is a local historic landmark.