



# City of San Antonio

## Agenda Memorandum

**File Number:**21-2986

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**Agenda Item Number:** 13.

**Agenda Date:** 4/20/2021

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:** Zoning Case Z-2021-10700043 HL

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 20, 2021

**Case Manager:** Michael Pepe, Planner

**Property Owner:** City of San Antonio

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 726 Fredericksburg Road

**Legal Description:** Lot 1 and the west 25-feet of Lot 2, Block 1, NCB 3030

**Total Acreage:** 0.1743

**Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Beacon Hill 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” Commercial District. The property was rezoned from “J” Commercial District to “B-3NA” Business Non Alcoholic District by Ordinance 86704, on September 25, 1997. The subject property converted from “B-3NA to “C-3NA” 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-3NA”, “R-6”, “RM-4”

**Current Land Uses:** Small Retail, Single-family dwelling

**Direction:** South

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

**Current Land Uses:** Small Retail

**Direction:** East

**Current Base Zoning:** “C-3NA”

**Current Land Uses:** Small Retail

**Direction:** West

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

**Current Land Uses:** Small Retail

## **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.

"NCD"

The Beacon Hill Area 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.

"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.

## **Transportation**

**Thoroughfare:** Fredericksburg  
**Existing Character:** Primary Arterial  
**Proposed Changes:** None

**Thoroughfare:** West French  
**Existing Character:** Local  
**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance of the subject property.  
**Routes Served:** 95, 96, 97, 289, 296

**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:** 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. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

**Proposed:** The proposed “C-3NA HL” allows all of the above in addition to adding a Historical Landmark Overlay, which provides for design review of proposed construction.

**FISCAL IMPACT:** None.

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

The subject property is not located within a Regional Center but is located 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 in the Midtown Neighborhoods Plan. Application of a Historic Overlay is consistent with the goals and objectives of the plan for historic 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 proposed application of historic overlay requires design review for proposed changes to the property.

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

The current “C-3NA” is an appropriate zoning for the property and surrounding area. The base zone remains the same and the “HL” is simply the addition of a historic overlay.

### **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:

Objective 1.1: Historic Character Preserve the historic character of the neighborhood commercial centers along Blanco, Fredericksburg, Hildebrand, Flores, and San Pedro

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

The subject property is 0.1596 acres, which reasonably accommodates a historic landmark designation.

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

The request for landmark designation was initiated by the owner, the City of San Antonio.

On December 2, 2020, 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.

1. Its value as a visible or archeological reminder of the cultural heritage of the community, or national event; the site is a visible reminder of the Good Roads movement to expand and improve the nation’s highways, and the influence of the Progressive Movement on urban planning. Its location and distinctive shape contribute to the streetscape’s sense of place by creating both a natural respite for pedestrians and additional parking for this dense commercial corridor.

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; as pedestrian infrastructure along the urban streetscape of the Old Spanish Trail, including landscaping

elements such as stone planters, shade trees, and sidewalks, which are unique to this portion of Fredericksburg Road stretching from the Uptown neighborhood to roughly Hildebrand.

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 greenspace was part of the original design of the neighborhood developed by the Beacon Hill Company, and is located within an area identified by OHP staff as an eligible historic district.

Staff found that the evidence submitted by the applicant supported criteria 1 and 6 but did not sufficiently support criteria 3 or 7.

HDRC evaluated the property for eligibility per the UDC Sec. 35-607(b).