

CITY OF SAN ANTONIO
Zoning Commission Agenda

Cliff Morton Development and Business Services Center
1901 S. Alamo Street
First Floor

August 4, 2009
Tuesday, 12:45 PM

ZONING COMMISSIONERS

Michael Westheimer – District 1	Vacant – District 7
Barbara Hawkins – District 2	Ramiro Valadez, III – District 8
Jim Myers – District 4	Susan Wright – District 9
Joe Valadez – District 5	Milton R. McFarland – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Don Gadberry – District 3	
Chairman	

1. **12:45 P.M. Tobin Room** - Work Session on related items and discussion of policies and administrative procedures and any items for consideration on the agenda for August 4, 2009.
2. 1:00 P.M. Board Room– Call to Order
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of July 21, 2009 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2009110:** A request for a change in zoning from “R-5” Residential Single Family District to “MF-18” Multi-Family District on the south 104.7 feet of Lots 35, 36 and 37, Block 24, NCB 7330, 126 Dora Street. (Council District 1)
7. **ZONING CASE NUMBER Z2009112 CD:** A request for a change in zoning from “R-4” Residential Single Family District to “R-4 CD” Residential Single Family District with a Conditional Use to allow a Professional Office on Lot F, Block 100, NCB 3368, 1044 Bailey Avenue. (Council District 3)
8. **ZONING CASE NUMBER Z2009122:** A request for a change in zoning from “C-3R” Commercial Restrictive Alcohol Sales District to “C-1” Light Commercial District on Lot 21, Block 1, NCB 7037, 3938 South Zarzamora Street. (Council District 5)
9. **ZONING CASE NUMBER Z2009125:** A request for a change in zoning from “R-4” Residential Single-Family District to “C-2” Commercial District on Lots 25, 26, 27, and 46, Block 8, NCB 2491, 1419 South Hamilton Avenue. (Council District 5)
10. **ZONING CASE NUMBER Z2009126:** A request for a change in zoning from “C-2” Commercial District to “HS C-2” Historic Significant Commercial District on Lot 10, Lot 11, the west 15 feet of Lot 12 and P-100, Block 83, NCB 3256, 1102 Fredericksburg Road. (Council District 1)

11. Briefing on the proposed Roosevelt Avenue Metropolitan Corridor Overlay District (MC-1) and Roosevelt Avenue Comprehensive Rezoning Case
12. Director's Report – No issue to report.
13. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
14. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



Zoning Case Notification Plan

Case Z-2009-110

Council District 1

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 07330 - Block 024 - The S 104.7 ft of Lots 35, 36 and 37

Legend

- Subject Property (0.1791 Acres)
- 200' Notification Buffer
- Current Zoning TEXT
- Requested Zoning Change TEXT
- 100-Year FEMA Floodplain



Planning & Development Services Dept
City of San Antonio
(05/18/2009 - E Hart)

CASE NO: Z2009110

Final Staff Recommendation - Zoning Commission

Date: August 04, 2009 Zoning Commission continuance (Commissioner's Request) from June 16, 2009.

Council District: 1

Ferguson Map: 582 E6

Applicant Name: Donald R. Feldpausch **Owner Name:** Donald R. Feldpausch

Zoning Request: From "R-5" Residential Single Family District to "MF-18" Multi-Family District.

Property Location: The south 104.7 feet of Lots 35, 36 and 37, Block 24, NCB 7330
126 Dora Street
On the south side of Dora Street between North Main Avenue to the west and McCullough Avenue to the east.

Proposal: To allow a two-family dwelling

Neigh. Assoc. None

Neigh. Plan North Central Neighborhoods Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial

The subject property consists of vacant land with frontage on Dora Street (a Collector street). The property is adjacent to R-5 zoning to the north, south and west and MF-33 zoned, but individual residentially platted lots, to the east. The surrounding land uses consist of single-family dwellings in all directions.

The applicant is requesting a change in zoning to allow a two-family dwelling. Staff finds this request inconsistent with the surrounding development pattern; housing type; and overall character related to density. This block face is composed mainly of single-family residential uses. The future land use designation for the subject property is Low Density Residential. The Low Density Residential land use category allows for a variety of detached or attached dwellings including single-family homes, duplexes and accessory dwellings on lots 8,000 square feet or greater. The property measures approximately 7,800 square feet and does not meet the 8,000 square foot requirement. Therefore, the requested MF-18 designation is not consistent with the North Central Neighborhoods Plan. The applicant has filed an application for a plan amendment and this request will be heard by the Planning Commission on August 12, 2009.

The properties directly to the east and southeast were originally zoned "C" Apartment District. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to "MF-33" Multi-Family District. These properties are currently overzoned and would benefit from a downzoning to remedy the existing conditions since this area is composed mainly of single-family residential uses and vacant areas where similar residential development seems likely to occur.

While the applicant is proposing the development of a two-family dwelling; the calculation for 0.1791 acres proposed for the MF-18 Multi-Family District would allow approximately 3 dwelling units. The proposed zoning district would allow a density that staff believes could potentially lead to development that is too intense for the surrounding property owners and infrastructure.

CASE NO: Z2009110

Final Staff Recommendation - Zoning Commission

CASE MANAGER : Brenda Valadez 207-7945

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009110

Address: 126 Dora Street

Existing Zoning: R-5

Requested Zoning: MF-18

Registered Neighborhood Association(s): N/A

Neighborhood/Community/Perimeter Plan: North Central Neighborhoods Community Plan

Future Land Use for the site: The property is currently classified as Low Density Residential land use in the North Central Neighborhoods Community Plan. The Low Density Residential land use classification allows for a variety of detached or attached dwellings including single-family homes, duplexes and accessory dwellings on lots of 8,000 sq. ft. or greater. The property is currently zoned R-5 and measures 7,800 sq. ft. The surrounding properties are all single family residences and are zoned with R-5 to the north, south and west. The parcel abutting the subject property to the east is zoned with MF-33.

Recommendation:

The proposed development, a duplex, is consistent with the North Central Neighborhoods Community Plan since it is considered as Low Density Residential land use. However; the available square footage is slightly short of required 8,000 sq. ft.

On the other hand, the proposed zoning district, MF-18, is not consistent with the North Central Neighborhoods Community Plan. This zoning category will allow three dwelling units to be built on the property. Three dwelling units, triplexes, are considered as Medium Density Residential land use category. This is not consistent with the North Central Neighborhoods Community Plan and it would require a plan amendment.

Analysis:

Request conforms to Land Use Plan Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Staff Recommendation:

Approval Denial Alternate Recommendation:

Reviewer: John Osten

Title: Sr. Planner

Date: 05/19/2009

Manager Review: Andrea Gilles

Title: Sr. Management Analyst

Date: 05/22/2009



Zoning Case Notification Plan

Case Z-2009-112 CD

Council District 3

Scale: 1" approx. = 80 Feet

Subject Property Legal Description(s): NCB 03368 - Block 100 - Lot F

Legend

- Subject Property (0.1873 Acres)
- 200' Notification Buffer
- Current Zoning **TEXT**
- Requested Zoning Change **TEXT**
- 100-Year FEMA Floodplain



Planning & Development Services Dept
 City of San Antonio
 (06/01/2009 - E Hart)

CASE NO: Z2009112 CD

Final Staff Recommendation - Zoning Commission

Date: August 04, 2009 Zoning Commission continuance (Applicant's Request) from June 16, 2009 and July 7, 2009 (Applicant's Request).

Council District: 3

Ferguson Map: 651 D1

Applicant Name: Cynthia Y. Munoz **Owner Name:** Cynthia Y. Munoz

Zoning Request: From "R-4" Residential Single Family District to "R-4 CD" Residential Single Family District with a conditional use to allow a professional office.

Property Location: Lot F, Block 100, NCB 3368
1044 Bailey Avenue
On the southwest corner of South Walters Street and Bailey Avenue

Proposal: To allow a professional office

Neigh. Assoc. Highland Park Neighborhood Association

Neigh. Plan Highlands Community Plan

TIA Statement: A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial

The subject property is located on the southwest corner of South Walters and Bailey Avenue, which are both local streets. The subject property is .1873 of an acre and is occupied by a single-family dwelling that measures approximately 2686 square feet, which was constructed in 1930. The property is adjacent to R-4 zoning in all directions. The subject property was originally zoned "B" Residence District under the 1938 zoning code. Upon adoption of the 2001 Unified Development Code, the previous zoning converted to "R-4" Residential Single-Family District. The surrounding land uses consist of single-family residential uses to the north, south, east and west.

The applicant is requesting a zoning change to allow an office use. The subject property is surrounded by residential zoning and existing residential dwellings. The future land use designation for the subject property is Low Density Residential. The Low Density Residential land use category allows single-family houses on individual lots. Staff believes that an office use at this location would be contrary to the goals of the Highlands Community Plan. The Plan encourages uses that would enhance the aesthetic quality of the area and discourages commercial encroachment into residential areas. While the applicant contends that the use would be low-impact with a minimum number of employees, this zoning change would not guarantee that a future property owner would not make maximum use of the requested zoning district.

According to the amended site plan submitted by the applicant, they now propose to utilize only 600 square feet of the principal structure. Based on this square footage, the property would be required to provide a total of 3 parking spaces in order to accommodate the proposed use as well as the residential use. One of the three parking spaces is required to be a handicap space. Within the parking area, the applicant will also have to provide sufficient vehicle maneuverability so vehicles exiting the office do not back up onto South Walters Street. Staff is concerned the applicant cannot provide the appropriate parking area needed for customers and employees. Further, the site plan submitted by the applicant is deficient in that it does not meet all the requirements for parking spaces listed in Section 35-526 of the Unified Development Code. Staff does not

CASE NO: Z2009112 CD

Final Staff Recommendation - Zoning Commission

believe that the parking area shown can adequately serve this location.

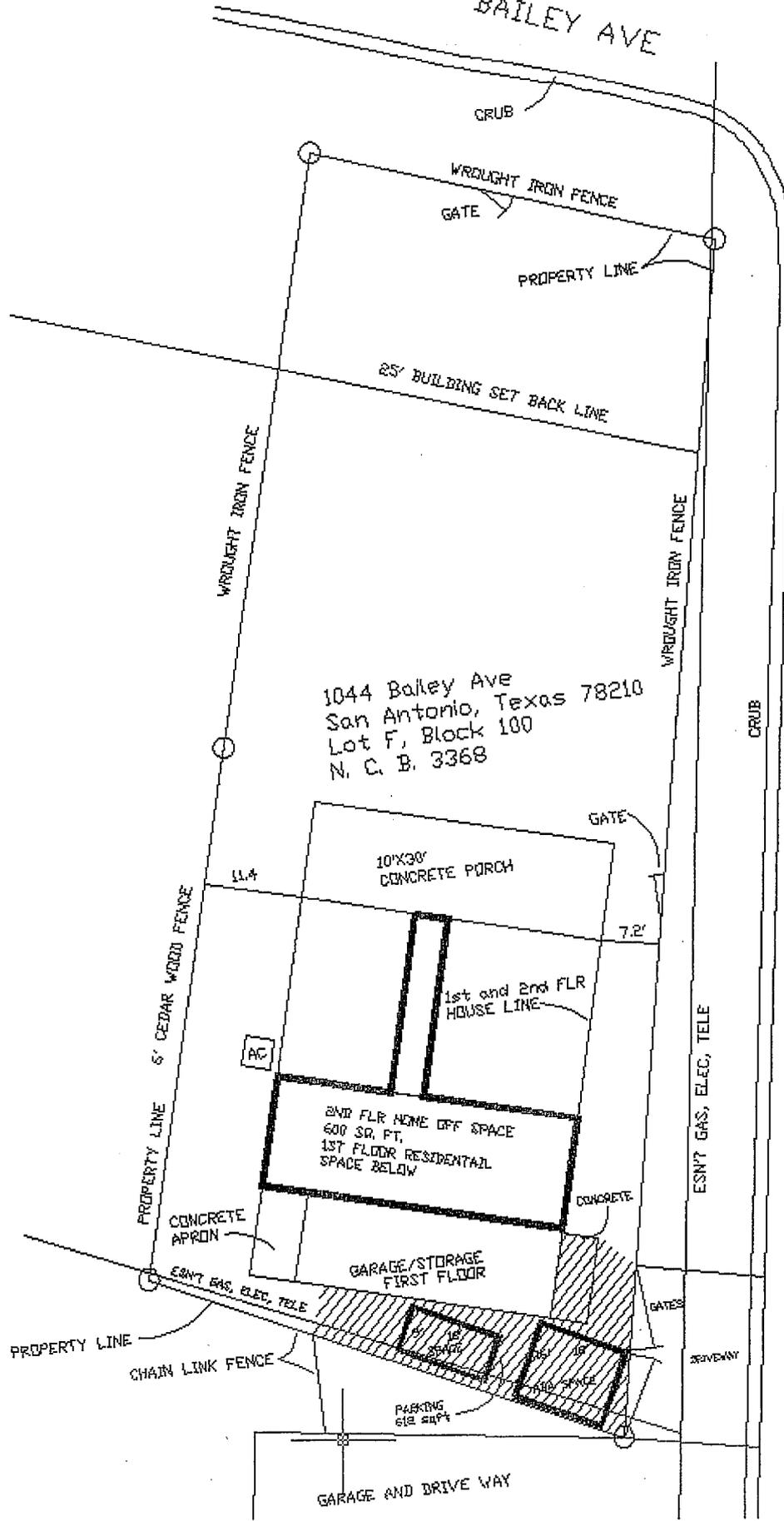
Additionally, while many improvements are being made to the current structure, upgrades will need to be made to the subject site to bring it up to commercial code. Further, the residential character expected in single-family residential neighborhoods would appear to be compromised if this case were approved.

Therefore, due to all of these factors, the requested zoning is not compatible with the surrounding area.

CASE MANAGER : Brenda Valadez 207-7945

BAILEY AVE

WALTERS AVE



1044 Bailey Ave
 San Antonio, Texas 78210
 Lot F, Block 100
 N. C. B. 3368

10'x30'
 CONCRETE PORCH

1st and 2nd FLR
 HOUSE LINE

2ND FLR NON-RESIDENTIAL
 600 SQ. FT.
 1ST FLOOR RESIDENTIAL
 SPACE BELOW

GARAGE/STORAGE
 FIRST FLOOR

PARKING
 612 SQ. FT.

GARAGE AND DRIVE WAY

CRUB

WROUGHT IRON FENCE

GATE

PROPERTY LINE

25' BUILDING SET BACK LINE

WROUGHT IRON FENCE

WROUGHT IRON FENCE

CRUB

PROPERTY LINE 6' CEDAR WOOD FENCE

11.4

GATE

7.2'

ESNT GAS, ELEC, TELE

CONCRETE APRON

CONCRETE

ESNT GAS, ELEC, TELE

PROPERTY LINE

CHAIN LINK FENCE

GATES

SEWEDWAY

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009112

Address: 1044 Bailey Avenue

Existing Zoning: R-4

Requested Zoning: R-4 CD (Professional Office)

Registered Neighborhood Association(s): Highland Park Neighborhood Association

Neighborhood/Community/Perimeter Plan: Highlands Community Plan

Future Land Use for the site: Low Density Residential

Analysis:

The subject property is an 8,160 square foot corner lot located southwest of the intersection of Bailey Avenue and South Walters Street (both local streets). The subject property is occupied by a 2,686 square foot structure classified by BCAD as a single-family residence. The parcels to the north (across Bailey Avenue), east (across South Walters Street), south and west are all occupied by single-family residential dwellings. All of these properties, including the subject property, are zoned R-4. The nearest parcel with a non-residential zoning classification is situated 2 blocks to the north and 1 block to the west on East Highland Boulevard.

The subject property is currently designated for Low Density Residential Land Use. The Low Density Residential land use classification includes single-family houses on individual lots. Certain non-residential activities, such as schools, places of worship and parks, are appropriate within this category and should be centrally located to provide easy accessibility.

The applicant is requesting a conditional use for a professional office be attached to the existing R-4 zoning on the subject property. This zoning request does not include a change to the base zoning so a finding of consistency is not required.

- Request conforms to Land Use Plan Request does not conform to Land Use Plan
 Consistency not required because base zoning not changing

Staff Recommendation:

- Approval, pending plan amendment Denial
 Alternate Recommendation

Objective 1.4 of the Plan is to: "Ensure new and existing businesses conform appropriately to the scale, design and character of the community, enhancing it aesthetically whenever possible". A professional office at this location would not be consistent with the character of the immediate area, which is decidedly single-family residential. Based on the required minimum parking ratio of 1 space per 300 square feet, the owner or subsequent owner may be required to provide up to 9 off-street parking spaces if the entire structure is utilized as office space. A parking area of this size would detract from the character of the area. The noise and traffic generated by the proposed use could also create conflicts with abutting properties. A home occupation may be operated at the subject property without a change to the base zoning and would be subject to restrictions designed to minimize the potential for conflicts with adjacent residences.

Reviewer: Michael Taylor

Title: Senior Planner

Date: 5/21/09

Manager Review: Andrea Gilles

Date: 5/22/09

12/30/04



Zoning Case Notification Plan

Case Z-2009-122

Council District 5

Scale: 1" approx. = 120 Feet

Subject Property Legal Description(s): NCB 07037 - Block 001 - Lot 021

Legend

- Subject Property (0.2830 Acres)
- 200' Notification Buffer
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year FEMA Floodplain



Planning & Development Services Dept
 City of San Antonio
 (06/30/2009 - E Hart)

CASE NO: Z2009122

Final Staff Recommendation - Zoning Commission

Date: August 04, 2009

Council District: 5

Ferguson Map: 649 F3

Applicant Name:

Owner Name:

Alfredo Nunez

Alfredo Nunez and Alfredo Nunez II

Zoning Request: From "C-3R" Commercial Restrictive Alcohol Sales District to "C-1" Light Commercial District.

Property Location: Lot 21, Block 1, NCB 7037

3938 South Zarzamora Street

On the east side of South Zarzamora Street, south of West Winnipeg Avenue

Proposal: To allow alcohol sales with food consumption.

Neigh. Assoc. Palm Heights Neighborhood Association and Quintana Community Neighborhood Association within 200 feet

Neigh. Plan Nogalitos/South Zarzamora Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Approval

The subject property is located on the east side of South Zarzamora Street, south of West Winnipeg Avenue. The subject property is approximately .2830 of an acre and is located within the original city limits. There is an existing commercial structure on the subject property which measures approximately 1590 square feet and was constructed in 1958. Upon adoption of the 2001 Unified Development Code, the existing "C-3R" Commercial Restrictive Alcohol Sales District converted from the previous "B-3R" Restrictive Business District. Surrounding zoning includes "C-3R" Commercial Restrictive Alcohol Sales District to the north and south; with "R-4" Residential Single-Family District across the alley to the east. Property across South Zarzamora Street to the west is zoned "R-6" Residential Single-Family District. Immediately to the north of the subject property is a carwash; to the south a commercial use. Single-family dwellings are located to the east and across South Zarzamora Street to the west.

The applicant has applied for "C-1" Light Commercial District in order to allow for the sale of on-premise consumption of alcohol. Since November 2001, Alamo Pizza has been providing pizza to the community and is currently pursuing the sale of alcoholic beverages permitted only when incidental to consumption of food. Staff supports down-zoning the subject property from "C-3R" to "C-1". The Nogalitos/South Zarzamora Community Plan currently designates the future land use for the subject property as Neighborhood Commercial. This land use provides small areas for offices, professional services, service and shop-front retail uses that can be served by pedestrian access and are generally less than 5,000 square feet. The "C-1" Light Commercial District would lessen a potential intensity increase of uses offered by the existing "C-3R" Commercial Restrictive Alcohol Sales District. The requested "C-1" zoning is an appropriate request given that the subject property fronts South Zarzamora Street, a major thoroughfare.

The "C-1" zoning district accommodates neighborhood commercial uses and is considered an appropriate buffer between residential uses and "C-2" and "C-3" districts and uses. No bar/tavern, external sound systems or live music is allowed. No outdoor storage or display of goods is permitted in "C-1" except for outdoor dining.

CASE NO: Z2009122

Final Staff Recommendation - Zoning Commission

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division

Zoning Case Review

Zoning Case No.: Z2009122

Address: 3926 S. ZARZAMORA

Existing Zoning: C3R

Requested Zoning: C2, C1

Registered Neighborhood Association(s): Palm Heights

Neighborhood/Community/Perimeter Plan: Nogalitos/ South Zarzamora Community Plan

Future Land Use for the site:

Neighborhood Commercial- The future land use designation for this +/- 0.283 acre parcel is Neighborhood Commercial. This land use provides small areas for offices, professional services, service and shop-front retail uses that can be served by pedestrian access and are generally less than 5,000 square feet. These include less intense commercial uses with low-impact convenience, retail, or service functions. No drive-through establishments are permitted. Residential uses can be in the same building with retail and office uses. This includes live/work units, small apartment buildings, residential units above retail, and townhouses. Examples of uses include small insurance or doctor' s offices, bakery, small restaurant, convenience store without gas pumps, copy service, veterinary office, bank without drive-through, gift shops, social services, and cafes.

Parking is encouraged in the rear of the buildings and should be appropriately buffered from adjacent residential uses through landscaped screening and lighting controls. Buildings should have a presominant percentage of windows across the ground level facades. Service yards are screened from view at the rear of the site.

Locations for Neighborhood Commercial uses include arterials and the intersection of two collectors.

Other Comments:

Appropriate zoning categories for Neighborhood Commercial include C-1 and O-1 uses.

Analysis:

The subject property, currently operating as small neighborhood restaurant, is situated on the east side of Zarzamora, and is one parcel south of Winnipeg street. The Future Land Use designation for properties located along the east side of Zarzamora street is Neighborhood Commercial. Low Density Residential land uses are designated to the west of Zarzamora. The Community Plan reflects this as a desired development pattern.

This is a request to change the zoning of a single parcel located at 3926 S. Zarzamora from C3R to C2. The applicant has also indicated C1 zoning in the application request. The intent of the request is to allow for the sale and on-premise consumption of alcohol at this existing establishment.

The rezoning request from C3R to C1 most appropriately supports the existing and proposed land use. The adopted land use plan recommends low intensity Neighborhood Commercial uses along the east side of Zarzamora Street. This request would lessen a potential intensity increase of uses offered by the existing C3 designation for the subject parcel.

Staff supports the rezoning request to C1 from C3R, as supported by the future land use found in the adopted Nogalitos/ South Zarzamora Community Plan.

12/30/04



Zoning Case Notification Plan

Case Z2009125

Council District 5

Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 02491 - Block 008 - Lots 25, 26, 27 and 46

Legend

- Subject Property (0.172 Acres)
- 200' Notification Buffer
- Current Zoning **TEXT**
- Requested Zoning Change **TEXT**
- 100-Year FEMA Floodplain



Planning & Development Services Dept
 City of San Antonio
 (06/30/2009 - E Hart)

CASE NO: Z2009125

Final Staff Recommendation - Zoning Commission

Date: August 04, 2009

Council District: 5

Ferguson Map: 615 F7

Applicant Name:

Owner Name:

Robert A. Pizzini

Abraham K. Paulose

Zoning Request: From "R-4" Residential Single-Family District to "C-2" Commercial District.

Property Location: Lots 25, 26, 27, and 46, Block 8, NCB 2491

1419 South Hamilton Avenue

At the southwest corner of South Hamilton Avenue and Loma Vista Street

Proposal: To allow a convenience store (no gasoline or carwash)

Neigh. Assoc. None

Neigh. Plan Guadalupe Westside Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

The Guadalupe Westside Community Plan designates the future land use of the subject property as Low Density Residential. The applicant has submitted a plan amendment, which will be heard by the Planning Commission on August 12, 2009. Staff recommends denial of both the plan amendment and the zoning request.

Denial.

The subject property is approximately 0.17 of an acre of undeveloped land, located at the southwest corner of South Hamilton Avenue and Loma Vista Street. In 1991, the property was part of a City-initiated comprehensive rezoning case; and as a result of the case was zoned "R-7" Small Lot Residence District. Upon adoption of the 2001 Unified Development Code, the previous zoning district converted to the current "R-4" Residential Single-Family District. Much of the surrounding zoning was created by the 1991 City-initiated case, and subsequent UDC adoption. Properties to the north and west are zoned "R-4". "C-2" Commercial District exists to the south abutting the subject property. Properties to the east and farther south are zoned "MF-33" Multi-Family District. Surrounding land uses include a mix of single-family or undeveloped lots to the north and west; a convenience store abutting to the south; and apartments to the east and farther to the south. The applicant currently leases and operates the abutting convenience store. The proposed zoning change would allow the applicant to build a new convenience store on the subject property.

Staff finds the requested "C-2" district to be inappropriate as it would allow many commercial uses that are too intense to be located within a residential neighborhood. Staff agrees that a single, small convenience store is not out of scale with the surrounding neighborhood. Such uses are permitted in the "NC" Neighborhood Commercial District which is meant to allow small businesses that can be supported by the local residents. However, the abutting property is already developed as a small convenience store which is leased by the owner of the subject property. The applicant has stated that the proposed store would be a replacement for the existing convenience store. However, the applicant's proposal would likely add a commercial use, as the neighboring property will continue to have commercial zoning, is under separate ownership, and can reasonably be expected to continue as a commercial use. Approval of the zoning request would expand

CASE NO: Z2009125

Final Staff Recommendation - Zoning Commission

commercial zoning along an entire block face on a local street that leads into a residential neighborhood. The Guadalupe Westside Community Plan specifically states as goal reducing such occurrences of commercial encroachment into residential neighborhoods.

Although the subject property abuts an existing commercial use, it also abuts and is adjacent to multiple residential uses. Commercial zoning districts, when abutting residential zoning or uses, carry strict building setback and landscape buffer requirements in part to protect the residences from the increased vehicle and foot traffic that accompany commercial uses. Should "C-2" or any other lower-intensity commercial zoning district be approved for the subject property, a "Type B" 15-foot landscape buffer will be required where the property abuts residential zoning or uses, thus limiting construction and parking to a shallow portion of the subject property. Staff is concerned that the property is too small to accommodate the proposed development while meeting all required development standards. Additionally, staff is concerned that ingress/egress for the subject property will bring increased traffic through the neighborhood via Loma Vista Street.

CASE MANAGER : Micah Diaz 207-5876

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009125

Address: 1419 S. Hamilton

Existing Zoning: R-4

Requested Zoning: C-2

Registered Neighborhood Association(s): None

Neighborhood/Community/Perimeter Plan: Guadalupe Westside Community Plan

Future Land Use for the site: Low-Density Residential

Analysis:

The subject property is approximately 0.27 acres; the subject property is currently vacant and sits on the corner of S. Hamilton and Loma Vista St. The applicant is seeking a zoning change from R-4 to C2 in order to allow for the construction of a new convenience store to replace the existing convenience store.

The future land use in the Guadalupe Westside Community Plan designates this property as Low-Density Residential. The Guadalupe Westside Community Plan also designates the properties to the north, south and west as Low-Density Residential and the properties to the east are designated as Medium-Density Residential.

According to the Guadalupe Westside Community Plan Low-Density Residential allows for single-family homes on individual lots, on streets with low traffic volumes. Certain lower impact community oriented uses such as churches, parks and community center may be encouraged in this category. Objective 20.1.3 in the Guadalupe Westside Community Plan states, "Reduce occurrences of commercial encroachment into residential areas. By utilizing the Plan's Future LandUse map to inform potential commercial developers about preferred land uses and land locations" (pg. 126). The denial of this zoning case keeps in spirit with the plan, goals and objectives of the Guadalupe Westside Community Plan. The Guadalupe Westside Community Plan planned for this property to be used as Medium Density Residential and the construction of a new convenience store does not adhere to the community's land use plan.

Other Comments: Pursing a zoning change will also require a plan amendment to Community Commercial.

Request conforms to Land Use Plan Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Staff Recommendation:

Approval Denial

Alternate Recommendation:

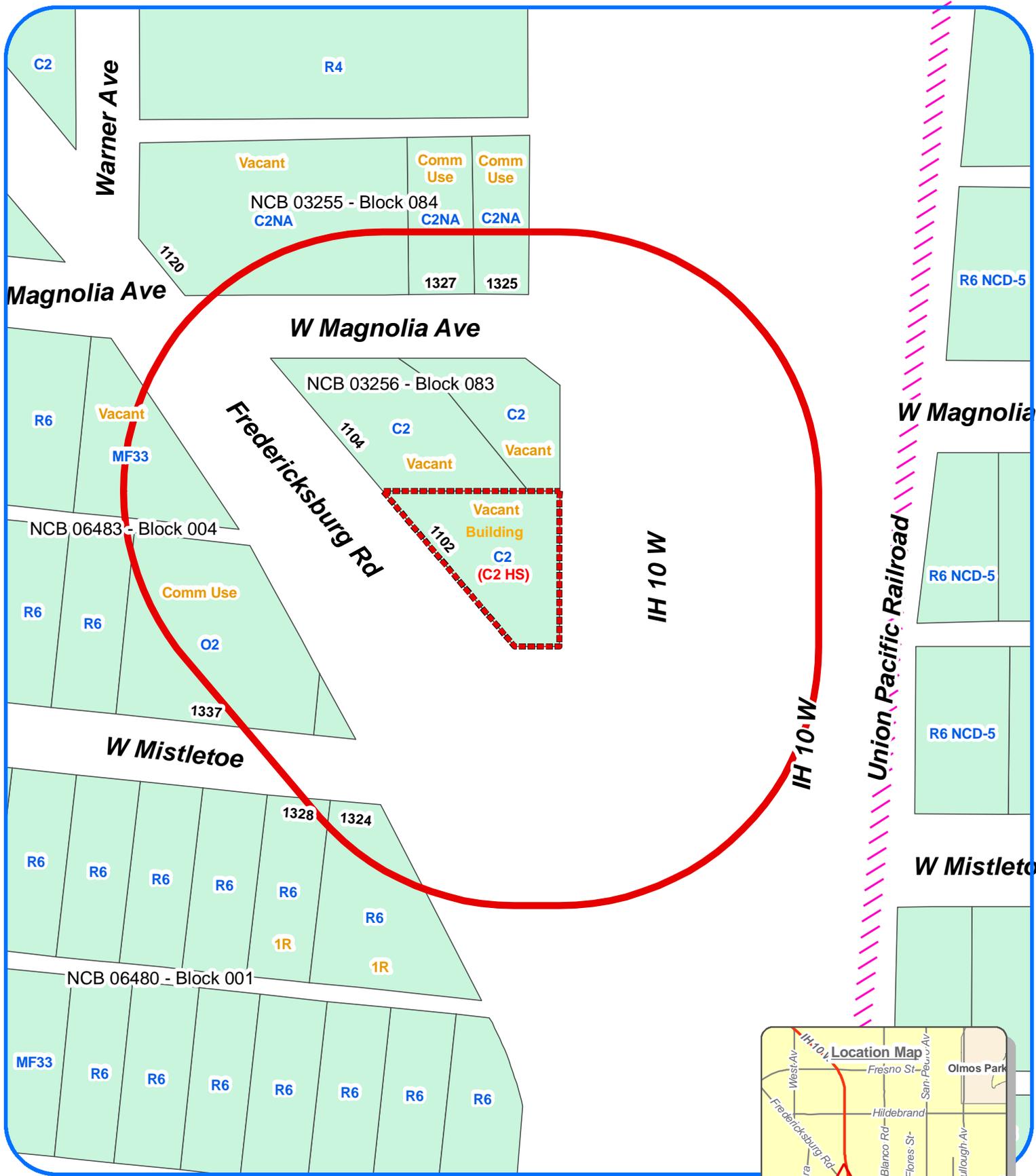
Reviewer: Sidra Maldonado

Title: Planner

Date: July 8, 2009

Manager Review: Nina Nixon-Mendez

Date: July 8, 2009



Zoning Case Notification Plan
Case Z-2009-126HS

Council District 1
 Scale: 1" approx. = 100 Feet

Subject Property Legal Description(s): NCB 03256 - Block 083 - Lots 10, 11, the W 15 ft of Lot 12, and Parcel P-100

Legend

- Subject Property (0.236 Acres)
- 200' Notification Buffer
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year FEMA Floodplain



Planning & Development Services Dept
 City of San Antonio
 (06/30/2009 - E Hart)

CASE NO: Z2009126

Final Staff Recommendation - Zoning Commission

Date: August 04, 2009

Council District: 1

Ferguson Map: 616 B1

Applicant Name:

Owner Name:

City of San Antonio, Historic Preservation
Office

Balous & Douglas Miller

Zoning Request: From "C-2" Commercial District to "HS C-2" Historic Significant Commercial District.

Property Location: Lot 10, Lot 11, the west 15 feet of Lot 12 and P-100, Block 83, NCB 3256

1102 Fredericksburg Road

On the north corner of the intersection of Fredericksburg Road and Interstate Highway 10 West

Proposal: To make Historic Significant

Neigh. Assoc. Los Angeles Heights-Keystone Neighborhood Association and Jefferson Neighborhood Association within 200 feet

Neigh. Plan Near Northwest Community Plan

TIA Statement: A Traffic Impact Analysis (TIA) is not required

Staff Recommendation:

Approval

The Near Northwest Community Plan designates the subject property for Community Commercial land use. According to the Near Northwest Community Plan, portions of the planning area have been designated as historic districts and other areas have the potential to become conservation districts. The Deco District on Fredericksburg Road serves as a significant economic and social hub in the community. Designating this property historical significant will aid in revitalizing the commercial corridor and will preserve the look and feel of the commercial corridor.

The subject property is located within the original city limits and is located in a triangle-shaped piece of land between Fredericksburg Road and the east-bound Interstate Highway 10 West access road, south of West Magnolia Avenue. The property is approximately 0.2479 acres in size. There is an existing vacant "Art Moderne" style commercial building on the subject property, which measures approximately 1308 square feet and was constructed in 1940. The existing building had previously been utilized as a convenience store for many years. Upon adoption of the 2001 Unified Development Code, the existing "C-2" Commercial District converted from the previous "B-2" Business District. Surrounding zoning includes "C-2" Commercial District to the north, with "MF-33" Multi-Family District and "O-2" Office District across Fredericksburg Road to the west.

This is a city-initiated case, with the City of San Antonio Historic Preservation Office acting as the applicant. The Historic Preservation Office requested a finding of Historic Significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On May 5, 2009, the Historic and Design Review Commission agreed with San Antonio Historic Preservation Office Staff and is recommending approval of a finding of Historic Significance based on the following criteria: 1. It embodies distinguishing characteristics of an architectural style valuable for the study of period, type, method of construction; 2. Its historical, architectural, or cultural character as a particularly fine or unique example of a utilitarian structure, including but limited to, bridges, acequias, gas stations, transportation shelters, or other commercial structures; 3. Its unique location or singular physical characteristics that make it an established or familiar

CASE NO: Z2009126

Final Staff Recommendation - Zoning Commission

visual feature.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

CASE MANAGER : Pedro Vega 207-7980

Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009126

Address: 1102 Fredericksburg

Existing Zoning: C2

Requested Zoning: HS C2

Registered Neighborhood Association(s): Los Angeles Heights/Key Stone Neighborhood Association

Neighborhood/Community/Perimeter Plan: Near Northwest Community Plan

Future Land Use for the site: Community Commercial

Analysis:

The subject property is approximately .2479 acres; the subject property is currently vacant and sits on Fredericksburg Rd. with Magnolia to the north and IH-10 to the east. The City of San Antonio Office of Historic Preservation is seeking a zoning change from C2 to HS C2 in order designate this property as a historic landmark status.

The future land use in the Near Northwest Community Plan designates this property as Community Commercial. The Near Northwest Community Plan also designates the properties to the north Community Commercial and Medium Density Residential to the southwest.

According to the Near Northwest Community Plan, " Portions of the planning area have been designated as historic districts and other areas have the potential to become conservation districts. The Deco District on Fredericksburg Rd. serves as a significant economic and social hub in the community. The community supports the continued revitalization of all the commercial corridors" (pg. 21). This property is streamlined and rectangular in shape with rounded corners on the façade, a flat roof with a parapet on three sides, and a central vertical pylon with signage, two large entrances and two windows were originally located on the façade facing Fredericksburg. By designating this property as historically significant this will aid in revitalizing the commercial corridor and will preserve the look and feel of the commercial corridor.

The approval of this zoning case keeps in spirit with the plan, goals and objectives of the Near Northwest Community Plan. Designating this property as HS C2 will aid in further preserving this Art Moderne and Art Deco building style predominant in this section of town.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

Staff Recommendation:

Approval

Denial

Alternate Recommendation:

Reviewer: Sidra Maldonado

Title: Planner

Date: July 2, 2009

Manager Review: Nina Nixon-Mendez

Date: July 7, 2009

A RESOLUTION 2009-06-18-0022R

DIRECTING THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO INITIATE A ZONING DISTRICT BOUNDARY CHANGE TO DESIGNATE 1102 FREDERICKSBURG AS HISTORIC SIGNIFICANT (DISTRICT 7).

* * * * *

WHEREAS, the Historic and Design Review Commission approved a finding of Historic Significance and the Office of Historic Preservation is requesting concurrence from City Council to move forward with the Historic Designation of 1102 Fredericksburg; and

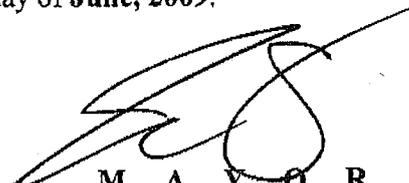
WHEREAS, City Council desires to initiate a change in the zoning district boundary of property to a zoning district compatible with current use and the surrounding area in accordance with Chapter 211 of the Texas Local Government Code and Article III of the San Antonio Unified Development Code; NOW THEREFORE,

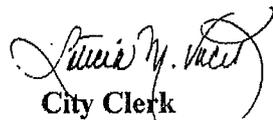
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

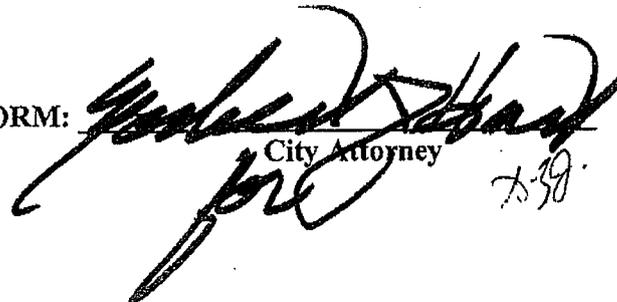
SECTION 1. The City Council hereby directs city staff to initiate a change in the zoning district boundary of property located at 1102 Fredericksburg for Historic Designation.

SECTION 2. This resolution shall be effective on June 28, 2009.

PASSED AND APPROVED this 18th day of June, 2009.


M A Y O R
JULIÁN CASTRO

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

2009126



CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION CERTIFICATE OF APPROPRIATENESS

May 06, 2009

HDRC CASE NO: 2009-107
ADDRESS: 1102 Fredericksburg Rd
LEGAL DESCRIPTION: NCB 3256 BLK 83 LOT 10, 11, W 15 FT OF 12 & P-100
PUBLIC PROPERTY:
HISTORIC DISTRICT:
LANDMARK DISTRICT:
APPLICANT: City of San Antonio, Historic Preservation Officer P.O. Box 839966
OWNER: Balous Miller & Douglas Miller
TYPE OF WORK: Finding of Historic Significance

REQUEST:

The Historic Preservation Officer is requesting a Certificate of Appropriateness for approval of finding of historic significance for the structure located at 1102 Fredericksburg Road.

RECOMMENDATION:

This case was referred to an on-site meeting at the April 15, 2009, HDRC meeting. The on-site meeting took place April 23, 2009. A report will be given at the May 5, 2009, HDRC meeting.

Staff attended the on-site meeting and finds the structure to be of medium integrity. The addition to the front of the building could be easily removed. The roofing system of the addition is mostly missing and should be rebuilt if the addition is not removed. The rear addition shows up in the 1952 Sandborn map. The interior has been modified, however the freezer door remains.

STATEMENT OF SIGNIFICANCE FOR THE PROPERTY LOCATED AT 1102 FREDERICKSBURG ROAD

The property at 1102 Fredericksburg Road is an Art Moderne style building. It is situated in a unique location at the intersection of IH 10 W. Access Road and Fredericksburg Road. It serves as an identifiable feature for travelers along Fredericksburg Road. The building was originally owned by Wilton Maerz, a longtime San Antonio resident and former US Chamber of Commerce field representative. Constructed in 1940 as a Jiffy Ice Store (an early convenience store), it was reportedly the first of its kind in the city. The cost of construction was \$4,200, with an additional \$1,159 for the cork-lined ice vault. The exterior material was stucco, and building materials were provided by the Thrift Lumber Company. Parking was provided, and "quick service" was the touted "feature of this new venture" (SA Express, 10/27/1940).

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An early San Antonio Express photo (10/27/1940) reveals the building as streamlined and rectangular in shape with rounded corners on the façade, a flat roof with a parapet on three sides, and a central vertical pylon with signage. Two large entrances and two windows were originally located on the façade facing Fredericksburg Road. A rear shed-roof addition has been added and appears on a 1952 Sanborn Map. A small plywood-clad addition has been added to the front façade, obstructing the original front windows and entrances. It is uncertain whether the original entrances or windows are still intact behind this addition. An original curved-cornered awning extends across most of the façade. A larger wood-framed canopy has been added to the façade just below the awning. The original building appears to be in good structural condition. Most of the original awning, pylon, and façade have been retained, and the property remains an intact example of an Art Moderne style commercial structure.

The HPO staff recommends that the building at 1102 Fredericksburg Road qualifies for historic landmark status based on the following criteria:

- Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction (35-607(b)(5));
- 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 (35-607(b)(6));
- Its unique location or singular physical characteristics that make it an established or familiar visual feature (35-607(b)(7));

COMMISSION ACTION:

Finding of Historic Significance based on staff's recommendation.


Shanon Wasielewski
Historic Preservation Officer