

**CITY OF SAN ANTONIO**  
**Zoning Commission Agenda**

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

**February 17, 2009**  
**Tuesday, 12:45 PM**

**ZONING COMMISSIONERS**

Michael Westheimer – District 1	Jody Sherrill – 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 PM - Work Session discussion of policies and administrative procedures and any items for consideration on the agenda for February 17, 2009, in the Tobin Room, 1901 South Alamo Street, Cliff Morton Development and Business Services Center.
2. 1:00 P. M. – Call to Order – Board Room
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of February 3, 2009 Zoning Commission Minutes.
6. ~~ZONING CASE NUMBER Z2009032:~~ A request for a change in zoning from “C-3” General Commercial District to “C-3 HS” General Commercial Historic Significance District on the east 114.6 feet of Lot 14, Block 3, NCB 1726, 2011 McCullough. (Council District 1) Pg. 5
7. **ZONING CASE NUMBER Z2009035:** A request for a change in zoning from “H C-3R” General Commercial Restrictive Alcohol Sales Tobin Hill Historic District to “H R-5” Residential Single-Family Tobin Hill Historic District on north 110.55 feet of Lot 3, NCB 1751, 306 East Myrtle Street. (Council District 1) Pg. 11
8. **ZONING CASE NUMBER Z2009037:** A request for a change in zoning from “I-1” General Industrial District to “L” Light Industrial District on Lot 5, Block 1, NCB 13630, 5711 Industry Park Drive. (Council District 2) Pg. 15
9. **ZONING CASE NUMBER Z2009038:** A request for a change in zoning from “R-6” Residential Single-Family District to “MF-18” Multi-Family District on Lot 9, NCB 17946, 8682 Bandera Road. (Council District 7) Pg. 17

10. **ZONING CASE NUMBER Z2009039 S:** A request for a change in zoning from "R-6" Residential Single-Family District to "R-6 S" Residential Single-Family District with a Specific Use Authorization to allow a Wireless Communication System on 0.2533 acres out of Lot 85, Block 5, NCB 17883, 9430 Brigadoon Road. (Council District 7) Pg. 21
11. **ZONING CASE NUMBER Z2009040:** A request for a change in zoning from "I-1" General Industrial District to "C-3NA" General Commercial Nonalcoholic Sales District on Lot 9, NCB 7572, 907 Frio City Road. (Council District 5) Pg. 25
12. **ZONING CASE NUMBER Z2009044 S:** A request for a change in zoning from "C-2NA" Commercial Nonalcoholic Sales District to "C-2 S" Commercial District with a Specific Use Authorization for a party house, reception hall, meeting facility on 0.201 acres out of NCB 11982, 3750-3800 Commercial Avenue. (Council District 3) Pg. 27
13. **ZONING CASE NUMBER Z2009045 CD:** A request for a change in zoning from "R-5" Residential Single-Family District to "R-5 CD" Residential Single-Family District with a Conditional Use for an assisted living facility on Lot 10, Block 2, NCB 11016, 222 Meadowood Lane. (Council District 1) Pg. 33
14. **ZONING CASE NUMBER Z2009046 CD:** A request for a change in zoning from "RM-4" Residential Mixed District to "RM-4 CD" Residential Mixed District with a Conditional Use for a Noncommercial Parking Lot on the west 27 feet of Lot A-11, Block 34A, NCB 631, 123 Hardeman Street. (Council District 2) Pg. 37
15. **ZONING CASE NUMBER Z2008274 CD S:** A request for a change in zoning from "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-6" Residential Single-Family District, "MF-33" Multi-Family District, "C-2" Commercial District, "C-3" General Commercial District, "C-3NA" General Commercial District, Nonalcoholic Sales, "C-3R" General Commercial District, Restrictive Alcohol Sales, "I-1" General Industrial District to "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" (CD-Multi-Family Dwellings) Residential Single-Family District with a Conditional Use for Multi-Family Dwellings, "R-5 CD" (CD-Four Family Dwelling) Residential Single-Family District with a Conditional Use for a Four Family Dwelling, "R-5 CD" (CD-Two-Family Dwelling) Residential Single-Family District with a Conditional Use for a Two-Family Dwelling, "R-6" Residential Single-Family District, "R-6 CD" (CD-Three-Family Dwelling) Residential Single-Family District with a Conditional Use for a Three-Family Dwelling, "MF-33" Multi-Family District, "O-1" Office District, "NC" Neighborhood Commercial, "C-2" Commercial District, "C-2NA" Commercial District, Nonalcoholic Sales, "C-2 S" Commercial District with a Specific Use Authorization for a Bar/Tavern, "C-2NA S" Commercial District with a Specific Use Authorization for a Car Wash, "C-2NA CD" (CD-Storage-Outside [Screening from public right of ways and adjacent property required] Commercial District, Nonalcoholic Sales with a Conditional Use for Outside Storage, "C-2NA CD" (CD-Auto and Light Truck Repair) Commercial District, Nonalcoholic Sales District with a Conditional Use for an Auto and Light Truck Repair Facility, "C-2NA CD" (CD-Tree Cut and Trim Service) Commercial District, Nonalcoholic Sales District with a Conditional Use for a Tree Cut and Trim Service, "C-2NA CD" (CD-Sand or Gravel -Storage and Sales) Commercial District, Nonalcoholic Sales with a Conditional Use for Sand or Gravel-Storage and Sales, "C-2NA CD" (CD-Hardware Sales-Wholesale) Commercial District, Nonalcoholic Sales with a Conditional Use for Hardware Sales-Wholesale, "C-2NA CD" (CD- Wrecker Service) Commercial District, Nonalcoholic Sales with a Conditional Use for a Wrecker Service, "C-2NA CD" (CD-Contractor Facility) Commercial District, Nonalcoholic Sales District with a Conditional Use for a Contractor Facility, "C-2NA CD" (CD-Auto Glass Sales) Commercial District, Nonalcoholic Sales with a Conditional Use for Auto Glass Sales, "C-2NA CD" (CD-Auto Paint and Body) Commercial District, Nonalcoholic Sales with a Conditional Use for an Auto Paint and Body Facility, "C-2NA CD" (CD-Veterinary Hospital-Small Animal [No outside

runs, pens, and paddocks permitted]) Commercial District, Nonalcoholic Sales with a Conditional Use for a Veterinary Hospital-Small Animal [No outside runs, pens, and paddocks permitted]), "C-2NA CD" (CD-Food Products-Wholesale and Storage) Commercial District, Nonalcoholic Sales with a Conditional Use for Food Products-Wholesale and Storage, "C-3R" General Commercial District, Restrictive Alcohol Sales, "C-3NA" General Commercial District, Nonalcoholic Sales, "C-3NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for Welding Shop, "C-3NA" General Commercial District, Nonalcoholic Sales with a Conditional Use for Warehousing, "C-3NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for Auto Alarm and Radio Sales and Installation on multiple properties generally located on Southwest 36th Street bound by Marbauch Avenue to the north and Ceralvo Street to the South; located on Castroville Road, bound by Marbauch Avenue, Akron and Wallace Streets to the north, Southwest 36th Street to the west, South General McMullen to the East and Ceralvo Street to the south; and located on South General McMullen bound by Castroville Road to the north, Juanita Street to the west, Camilo and Amerada to the east and Patton Boulevard to the south. (Council District 6) Pg. 43

16. Briefing on the Military Lighting Overlay District Comprehensive Rezoning Case.
17. Briefing from the Metropolitan Planning Organization (MPO) regarding upcoming Public Workshops for Growth Scenarios to guide Transportation Decisions. Presented by Jeanne Geiger and Sid Martinez.
18. Director's Report: No Issue to Report
19. Briefing on status of Zoning Commission Subcommittee items passed by Zoning Commission on February 6th.
20. 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.
21. **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.





# CASE NO: Z2009032

## Final Staff Recommendation - Zoning Commission

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of early twentieth-century residential development of the Tobin Hill neighborhood.

The Tobin Hill Neighborhood Plan encourages "the conservation of architectural character through adaptive reuse" and protecting and enhancing "the existing building and streetscape character on commercial corridors." Planning and Development Services staff recommends approval.

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 :** Micah Diaz 207-5876

# Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009032

Address: 2011 McCullough

Existing Zoning: C-3

Requested Zoning: C-3 HS

Registered Neighborhood Association(s): Tobin Hill

Neighborhood/Community/Perimeter Plan: Tobin Hill Neighborhood Plan

**Future Land Use for the site:** Low Density Mixed Use

Low Density Mixed Use land uses include a mix of low intensity residential and commercial uses (adjacent lots, or integrated in one structure); shared parking located to the rear of structure, limited curb cuts. Examples include professional/personal services, shop -front retail with restaurants, cafes, and gift shops. The plan also states, "Encourage the conservation of architectural character through adaptive reuse." (Tobin Hill Neighborhood Plan, p. 23).

**Other Comments:**

Additionally, the plan states the desire to create a Neighborhood Conservation District "to protect and enhance the existing building and streetscape character on these commercial corridors." (Tobin Hill Neighborhood Plan, p. 79).

**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: Brad Smilgin

Title: Planner

Date: January 7, 2009

Manager Review: Nina Nixon-Mendez

Date: January 8, 2009



# CITY OF SAN ANTONIO

## HISTORIC AND DESIGN REVIEW COMMISSION CERTIFICATE OF APPROPRIATENESS

November 19, 2008

HDRC CASE NO: 2008-288  
 ADDRESS: 2011 McCullough  
 LEGAL DESCRIPTION: NCB01726B3LE114614  
 PUBLIC PROPERTY:  
 HISTORIC DISTRICT:  
 LANDMARK:  
 APPLICANT: City of San Antonio, P.O. Box 839966  
 Historic Preservation Officer  
 OWNER: Deepak Land Trust  
 TYPE OF WORK: Denial of Demolition and Finding of Historic Significance

### REQUEST:

The applicant is requesting a Certificate of Appropriateness for Finding of Historic Significance and Denial of Demolition.

### RECOMMENDATION:

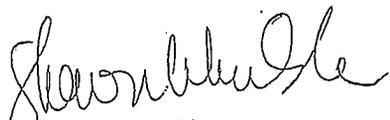
Staff recommends denial of demolition and approval of Finding of Historic Significance. This case was referred to Architectural and Demolition Committees on November 5, 2008.

The staff recommends approval of this request for a Finding of Historic Significance and denial of the request for demolition. Staff has determined that the building at 2011 McCullough qualifies for historic landmark status based on the following criteria:

- (1) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period: Classical Revival style popularized during the early twentieth century [35-607(b)(5)].
- (2) Its historical and architectural integrity of location, design, materials, and workmanship reflective of early twentieth-century residential development of the Tobin Hill neighborhood [35-607 (b) (8)].

### COMMISSION ACTION:

Approval of Finding of Historic Significance.

  
 Sharon Wasielewski  
 Historic Preservation Officer

A RESOLUTION 2008-12-11-0059R

DIRECTING THE OFFICE OF HISTORIC PRESERVATION TO INITIATE A ZONING DISTRICT BOUNDARY CHANGE TO DESIGNATE 2011 MCCULLOUGH AS HISTORIC SIGNIFICANT (DISTRICT 1).

\* \* \* \* \*

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 2011 McCullough; and

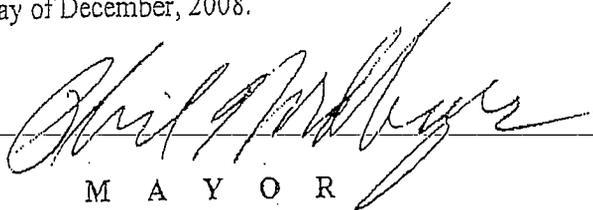
WHEREAS, City Council desires to initiate a change in the zoning district boundary of property to a zoning district compatible with current use and the surrounding area in accordance with Chapter 211 of the Texas Local Government Code and Article III of the San Antonio Unified Development Code; NOW THEREFORE;

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

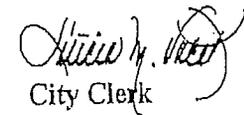
Section 1. The City Council hereby directs City Staff to initiate a change in the zoning district boundary of property located at 2011 McCullough for Historic Designation.

Section 2. This resolution shall be effective on December 21, 2008.

PASSED AND APPROVED this 11<sup>th</sup> day of December, 2008.

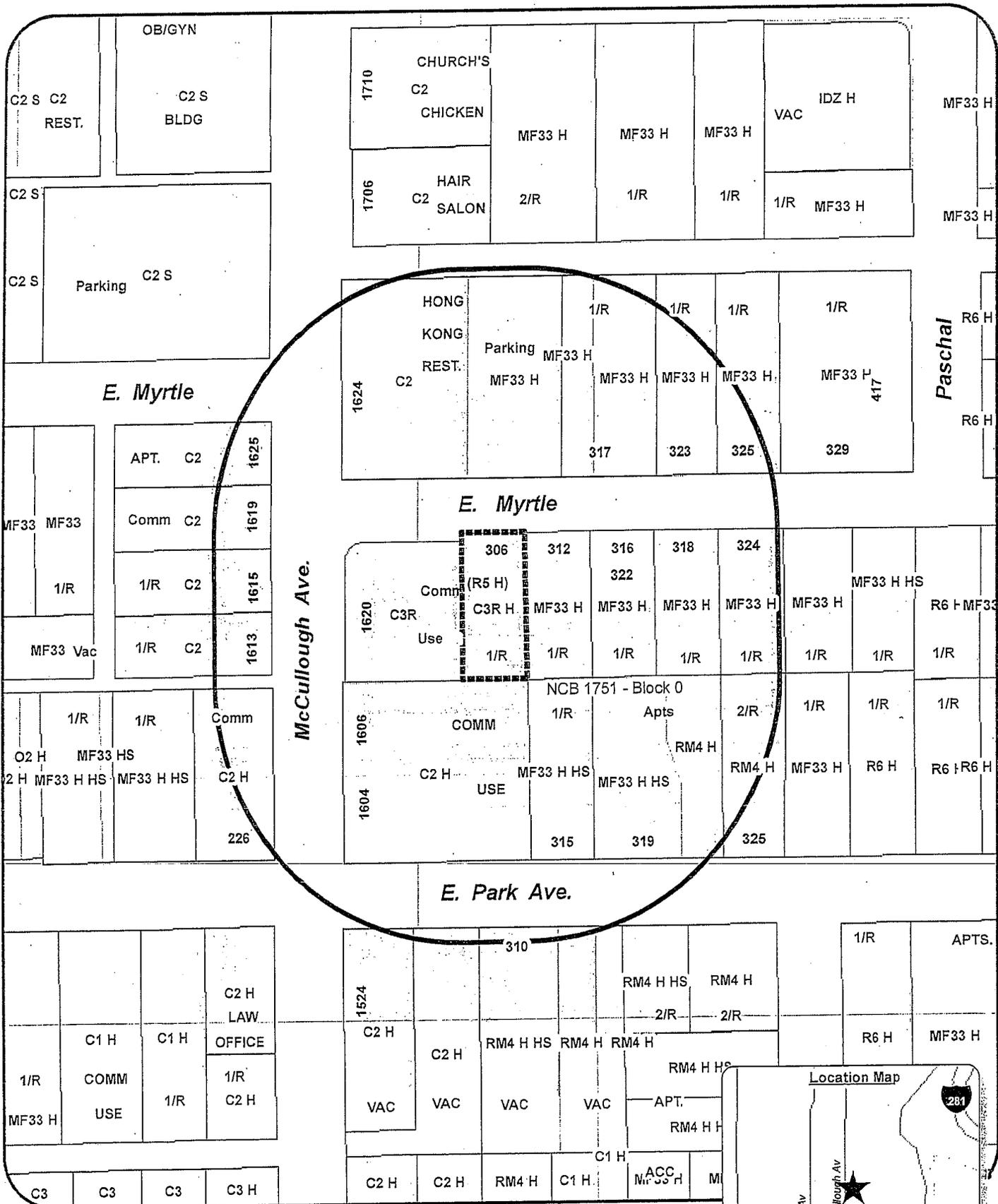
  
M A Y O R

PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney





# Zoning Case Notification Plan

## Case Z2009-035

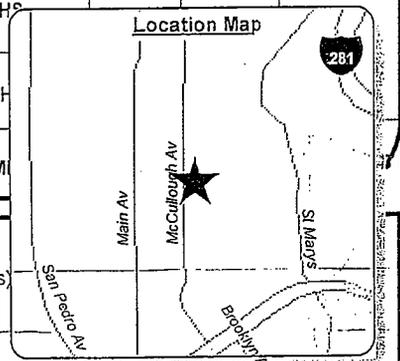
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): North 110.5 feet of Lot 3 NCB 1751 Block 00

### Legend

- Subject Property (0.1270 acres)
- 200' Notification Buffer
- Current Zoning - MF33 H
- Requested Zoning Change (R5 H)
- 100-Year FEMA Floodplain



City of San Antonio  
 Planning - Development Services Dept.  
 1/8/2009  
 D. E. Castillo

# CASE NO: Z2009035

## Final Staff Recommendation - Zoning Commission

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**Date:** February 17, 2009

**Council District:** 1

**Ferguson Map:** 616 F2

**Applicant Name:**

George Addison and Tommie P. Blakey Jr.

**Owner Name:**

George Addison and Tommie P. Blakey Jr.

**Zoning Request:** From "H C-3R" Commercial, Restrictive Alcohol Sales Tobin Hill Historic District to "H R-5" Residential Single-Family Tobin Hill Historic District.

**Property Location:** The north 110.55 feet of Lot 3, NCB 1751

306 East Myrtle Street

On the south side of East Myrtle Street, east of McCullough Avenue

**Proposal:** To allow the restoration of a single-family dwelling

**Neighborhood Association:** Tobin Hill Neighborhood Association and Tobin Hill Residents Association

**Neighborhood Plan:** Tobin Hill Neighborhood Plan

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

**Staff Recommendation:**

Approval

The subject property is located a few blocks north from the Downtown area on the south side of East Myrtle Street, east of McCullough Avenue. It is located within the original city limits, totals approximately 0.127 of an acre and is currently occupied by a vacant single-family dwelling. The existing single-family dwelling was constructed in 1927 and measures approximately 2,218 square feet. Following the adoption of the 2001 Unified Development Code, the existing "H C-3R" General Commercial, Restrictive Alcohol Sales Historic District converted from "H B-3R" Business, Restrictive Alcohol Sales Historic District. The surrounding zoning consists of "H MF-33" Multi-Family Historic District to the east and across East Myrtle Street to the north. Properties to the west and south are zoned "C-3R" General Commercial, Restrictive Alcohol Sales District and "H C-2" Commercial Historic District. Uses along East Myrtle Street are predominantly single-family or low-density multi-family residential uses.

The applicant has applied for "H R-5" Residential Single-Family Historic District to allow the existing structure to be used as a residential unit. The zoning change will allow the applicant to restore and renovate the historic structure back to the original two-story Victorian single-family home. The structure was moved back and upon review of the subject property, it was determined that a variance to the side yard would be required in addition to rezoning the property to bring it into compliance. The applicant to seeking a variance from the Board of Adjustment.

This request conforms to the Tobin Hill Neighborhood Plan. The future land use in the Tobin Hill Neighborhood Plan designates this property as Low Density Residential. The second goal in the Tobin Hill Neighborhood Plan is housing, and the goal states, "Improve the quality, appearance, and variety of existing and new housing for all ages while increasing home ownership and investment in the area". The Tobin Hill Neighborhood Plan, adopted in 1987.

The request is consistent with the existing neighborhood character and is considered a downzoning from the existing "C-3R". East Myrtle Street is a local street, making the requested zoning appropriate. Additionally, much needed infill and housing rehabilitation in this area will contribute to the neighborhood in a positive manner. Staff believes that the requested "H R-5" zoning is appropriate for this location.

**CASE MANAGER :** Pedro Vega 207-7980



## Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009035

Address: 306 E. Myrtle

Existing Zoning: C3R-H

Requested Zoning: R-5

Registered Neighborhood Association(s): Tobin Hill Neighborhood Association

Neighborhood/Community/Perimeter Plan: Tobin Hill Neighborhood Plan

Future Land Use for the site: Low Density Residential

### Analysis:

The subject property is approximately 0.127 acres and is located one parcel to the east of McCullough Avenue. There are commercial properties to the west, northwest and south. Multifamily is located to the north, northeast, east and southeast. The applicant is seeking a zoning change from C3R-H to R-5 in order to restore and renovate the historic home back to the original two-story Victorian single family home.

The future land use in the Tobin Hill Neighborhood Plan designates this property as Low Density Residential. The Tobin Hill Neighborhood Plan also designates the properties to the north, northeast, east and southeast as Low Density Residential. The properties located to the south, southwest, west and northwest are designated as Low Density Mixed Use.

The second goal in the Tobin Hill Neighborhood Plan is housing, the goal states, "Improve the quality, appearance, and variety of existing and new housing for all ages while increasing home ownership and investment in the area." Objective 2.1.4 in the Tobin Hill Neighborhood Plan states that they want to "Diminish occurrences of commercial encroachment into residential areas." The residents in the plan also want to "Encourage and facilitate the development of quality, compatible infill housing where appropriate. Compatible housing will maintain the historical and architectural integrity of the neighborhood and help to better utilize vacant and/or unkempt properties."

### Other Comments:

Request does comply with the Tobin Hill Neighborhood Plan.

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:

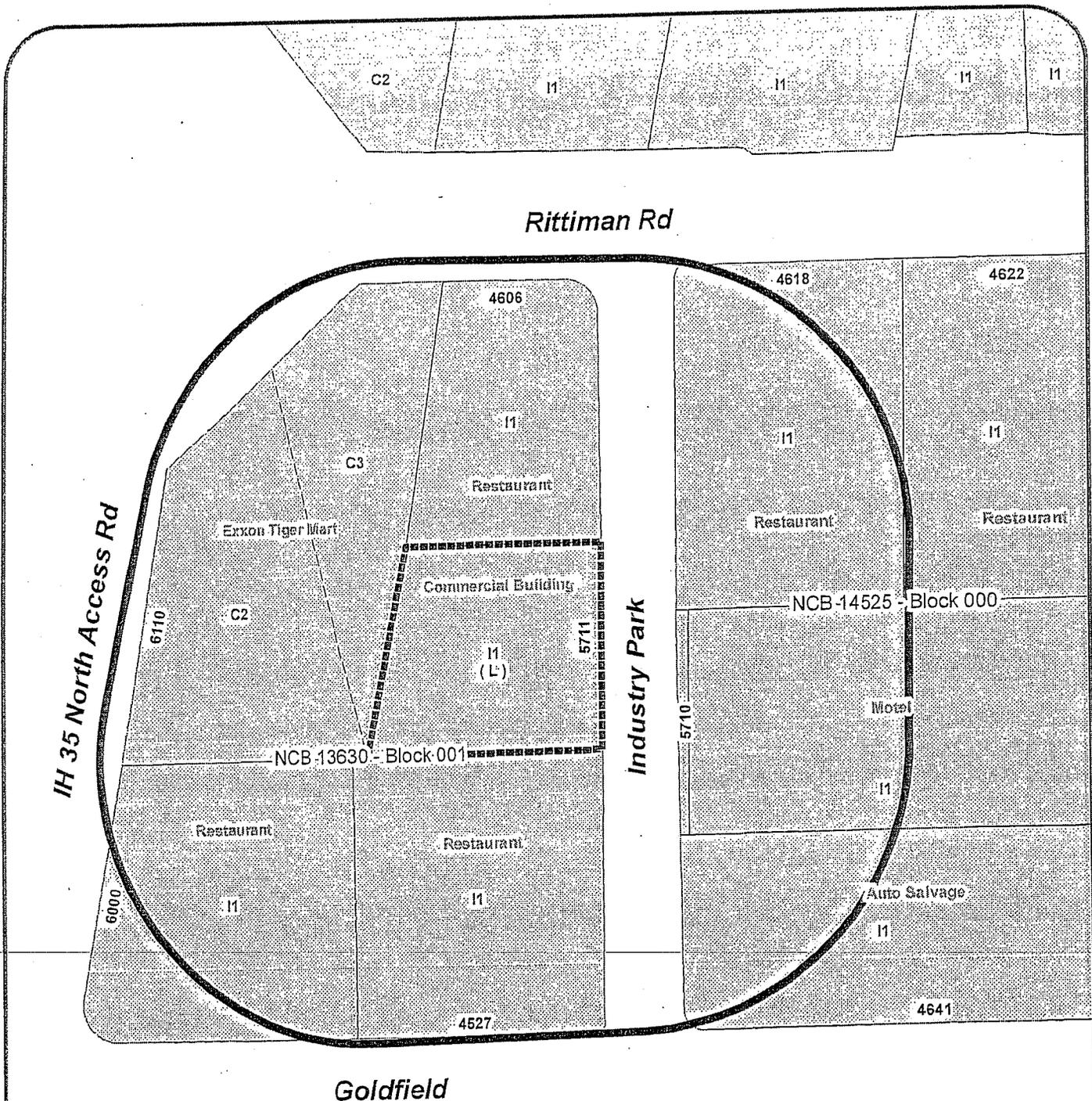
Reviewer: Sidra Maldonado

Title: Planner

Date: December 31, 2008

Manager Review: Nina Nixon-Mendez

Date: January 8, 2009

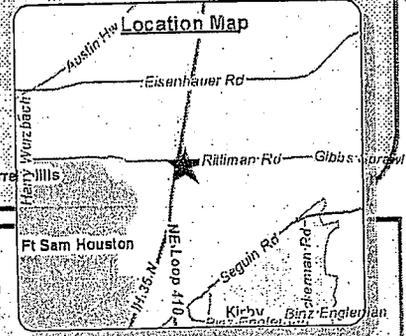


**Zoning Case Notification Plan**  
**Case Z-2009-037**

Council District 2  
 Scale: 1" approx = 100'  
 Subject Property Legal Description(s): NCB 13630 - Block 001 - LOT 5

**Legend**

- Subject Property [dashed line] (0.5140 Acres)
- 200' Notification Buffer [thick solid line]
- Current Zoning I1
- Requested Zoning Change (L)
- 100-Year FEMA Floodplain [stippled area]



Planning and Development Services Dept.  
 City of San Antonio  
 (02/04/2009 - E Hart)

# CASE NO: Z2009037

## Final Staff Recommendation - Zoning Commission

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**Date:** February 17, 2009

**Council District:** 2

**Ferguson Map:** 584 E4

**Applicant Name:**  
Karen Mgerian

**Owner Name:**  
Karen Mgerian

**Zoning Request:** From "I-1" General Industrial District to "L" Light Industrial District.

**Property Location:** Lot 5, Block 1, NCB 13630

5711 Industry Park Drive

On the west side of Industry Park Drive between Rittiman Road and Goldfield

**Proposal:** To allow for motor vehicle sales and auto paint and body facility

**Neigh. Assoc.** None

**Neigh. Plan** None

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

**Staff Recommendation:**

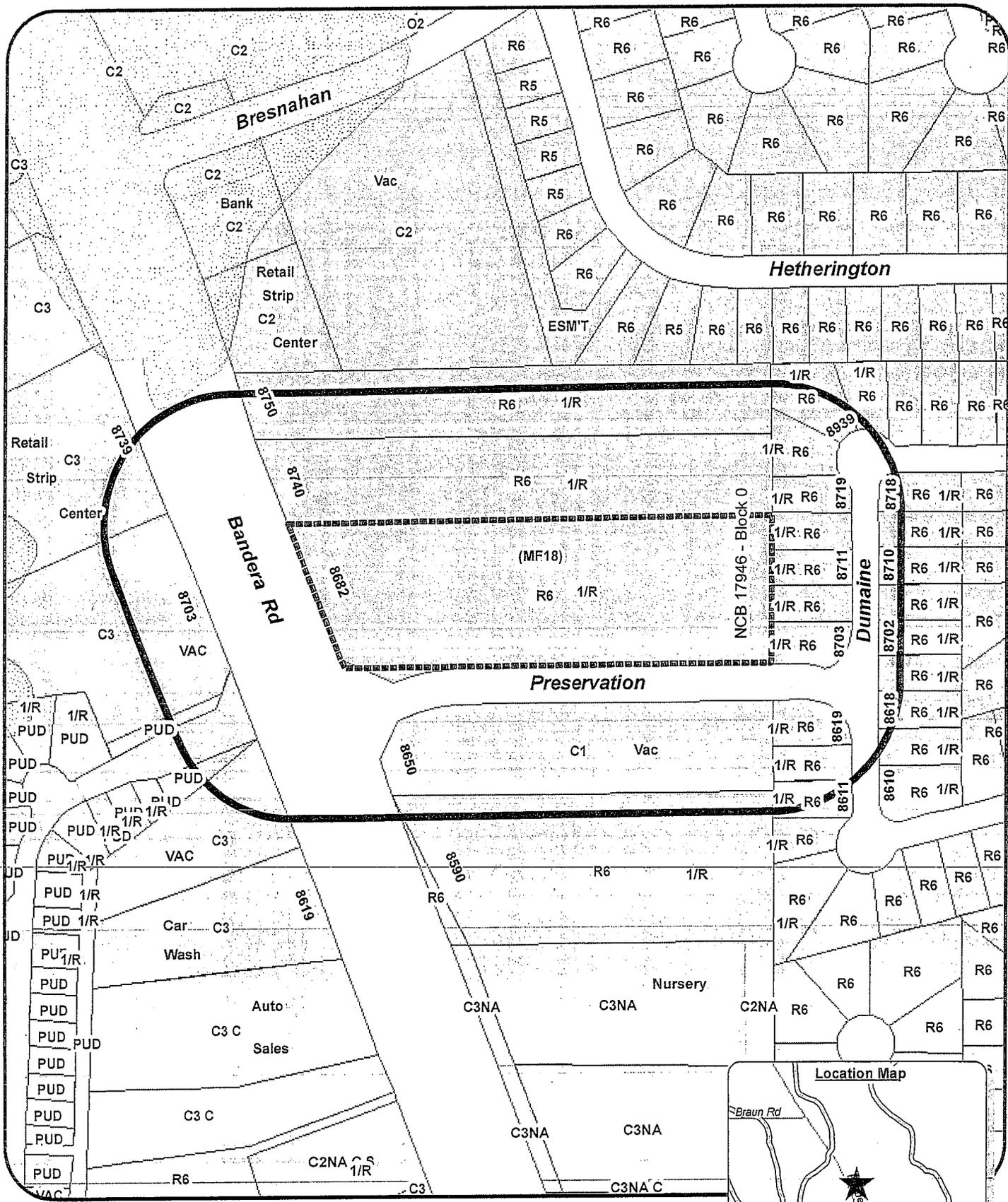
Approval.

The subject property was annexed in 1966 and totals approximately 0.514 acres. There is an existing commercial building on the subject property. Upon adoption of the 2001 Unified Development Code, the existing "I-1" General Industrial District converted from the previous "I-1" Light Industry District. "I-1" General Industrial District zoning currently exists to the northeast, southwest and across Jackwood Drive to the southeast of the subject property. The property to the west is zoned "C-3" General Commercial District and "C-2" Commercial District. The owner attempted to obtain a certificate of occupancy and was informed that they did not have the appropriate zoning. The applicant is now before the Zoning Commission in order to obtain the appropriate zoning for the motor vehicle sales.

The subject property is currently occupied by a vacant commercial building and is located on Industry Park Drive, a collector street. The "L" Light Industrial District is appropriate considering the uses on the adjoining tracts and in the general area. The subject property is located in an area with industrial facilities, warehousing services, offices, service centers, restaurants and motels. The requested "L" Light Industrial District would not be out of character with the commercial and industrial uses in the area. The "L" Light Industrial District will continue the orderly development and concentration of industrial and manufacturing uses. Staff finds this request reasonable given the property had previously been an auto paint and body facility for many years.

The "L" district provides a mix of light manufacturing uses, office park, and limited retail and service uses that service the industrial uses with proper screening and buffering, all compatible with adjoining uses. Principle vehicle access to and from the site shall be from a primary driveway and all loading shall be from the rear or side of the building, but not facing an arterial street.

**CASE MANAGER :** Pedro Vega 207-7980



# Zoning Case Notification Plan

## Case Z2009-038

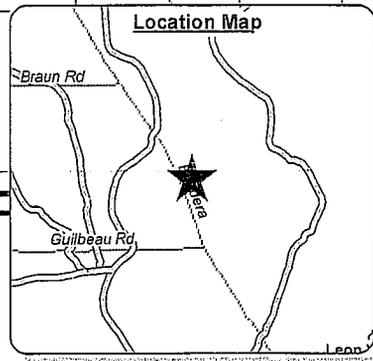
Council District 7

Scale: 1" approx. = 200'

Subject Property Legal Description(s): NCB 17946, Lot 9, Block 00

### Legend

- Subject Property (3.98 acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (MF18)
- 100-Year FEMA Floodplain



City of San Antonio  
 Planning - Development Services Dept.  
 1/30/2009  
 D. E. Castillo

# CASE NO: Z2009038

## Final Staff Recommendation - Zoning Commission

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**Date:** February 17, 2009

**Council District:** 7

**Ferguson Map:** 547 E7

**Applicant Name:**

Keith Mohundro and Steven L. Rhodes

**Owner Name:**

Keith Mohundro and Steven L. Rhodes

**Zoning Request:** From "R-6" Residential Single-Family District to "MF-18" Multi-Family District.

**Property Location:** Lot 9, NCB 17946

8682 Bandera Road

On the northeast corner of Bandera Road and Preservation

**Proposal:** To allow a multi-family development

**Neigh. Assoc.** None

**Neigh. Plan** Huebner / Leon Creeks Community Plan

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

**Staff Recommendation:**

Approval

The subject property is currently occupied by a residential dwelling with frontage on Bandera Road. The property is adjacent to R-6 and C-2 zoning to the north, R-6 zoning to the east, R-6, C-1 and C-3 zoning to the south and C-3 zoning to the west. The surrounding land uses consist of residential dwellings and a commercial retail center to the north; a residential dwelling, undeveloped land and a nursery to the south; undeveloped land, a commercial retail center and car wash to the west and residential dwellings to the east.

The applicant has applied for MF-18 zoning in order to develop a multi-family community, which will consist of approximately 72 units. Multi-family dwellings are most appropriate on the periphery of single-family neighborhoods, and along arterials or major thoroughfares. The requested multi-family district is appropriate, as the subject property fronts a heavily commercialized primary arterial street and sits at the periphery of the Oaks of French Creek neighborhood. The Huebner/Leon Creeks Community Plan, which is currently undergoing a five year update, calls for Medium Density land use for the subject property. The requested MF-18 zoning district would not be out of character with the neighboring properties and would allow for a more appropriate use along Bandera Road while providing a transition between the residential subdivision and commercial uses on Bandera Road.

Medium and high density developments are encouraged in areas where supporting infrastructure, such as public transportation and commercial facilities are present. The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares; Bandera Road (a Primary Arterial Type "A" street) to the west and Guilbeau Road (a Secondary Arterial "Type A" street) to the south. In addition, there is access to VIA bus stops along Bandera Road.

**CASE MANAGER :** Brenda Valadez 207-7945

## Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009038

Address: 8682 Bandera Road

Existing Zoning: R6

Requested Zoning: MF-18

Registered Neighborhood Association(s): None

Neighborhood/Community/Perimeter Plan: Huebner/Leon Creeks Community Plan

Future Land Use for the site: Medium Density Residential

### Analysis:

The subject property is a 3.98 acre parcel situated northeast of the intersection of Bandera Road (a Primary Arterial "Type A") and Perservation Street. The parcels on the eastern side of Bandera Road (including the subject property) are within the boundaries of the Huebner/Leon Creeks Community Plan. The parcels on the western side of Bandera Road are within the boundaries of the Northwest Community Plan. According to BCAD records, the subject property is currently occupied by a single family dwelling. The property to the north is zoned R6 and is also occupied by a single family dwelling. The property to the south (across Perservation Street) is zoned C1 and is currently vacant. There are 4 parcels to the east that share a property line with the subject property. All are zoned R6 and occupied by single family dwellings. The property to the west (across Bandera Road) is zoned C3 and is currently vacant. Zoning classifications for properties along this section of Bandera Road include R6, C1, C2, and C3.

The subject property is currently designated for Medium Density Residential land use. The medium density residential land use category mainly includes single-family houses on individual lots, however, zero-lot line configurations, duplexes, triplexes and fourplexes may be found within this classification. Detached and attached accessory dwelling units such as granny flats and garage apartments are allowed when located on the same lot as the principal residence. Certain non-residential uses, such as schools, places of worship and parks, are appropriate within these areas and should be centrally located to provide easy accessibility.

The MF-18 zoning district was created to bridge the gap between the RM districts, which allow a maximum density of 11 units per acre but limit unit configuration to 4 dwelling units per building, and the MF districts, with maximum densities starting at 25 units per acre. The MF-18 district allows a slightly higher density than the RM districts; however, by allowing for a more efficient arrangement of dwelling units (more than 4 units are allowed per building) a greater amount of space can be utilized for resident common areas or left as open green space. The newly created MF-18 zoning district was created to be consistent with the Medium Density Residential land use category. The Huebner/ Leon Creeks Community Plan is currently undergoing a 5-year update and the plan text will be amended to reflect the addition of the MF-18 zoning district as a recommended zoning district for the Medium Density Residential land use category.

Given the subject property has frontage on Bandera Road, low-density, single-family residential uses permitted by the existing zoning are unlikely to develop. MF-18 zoning at this location would allow for a more appropriate use along Bandera Road and provide a transition between the single-family residential subdivision to the east and the commercial uses typically found along Bandera Road. The MF-18 zoning district would allow for approximately 72 total attached apartments on the 3.98-acre subject property. This type of low-density multi-family development would be an appropriate use along Bandera Road and provide an additional degree of protection for the abutting single-family residences by limiting the overall density.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

12/30/04

# Neighborhood and Urban Design Division Zoning Case Review

**Staff Recommendation:**

Approval

Denial

Alternate Recommendation

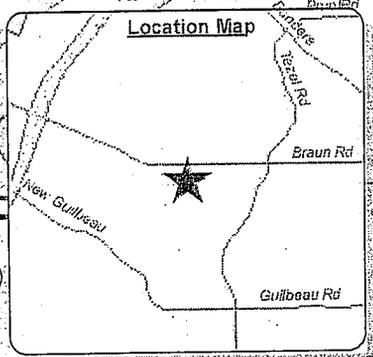
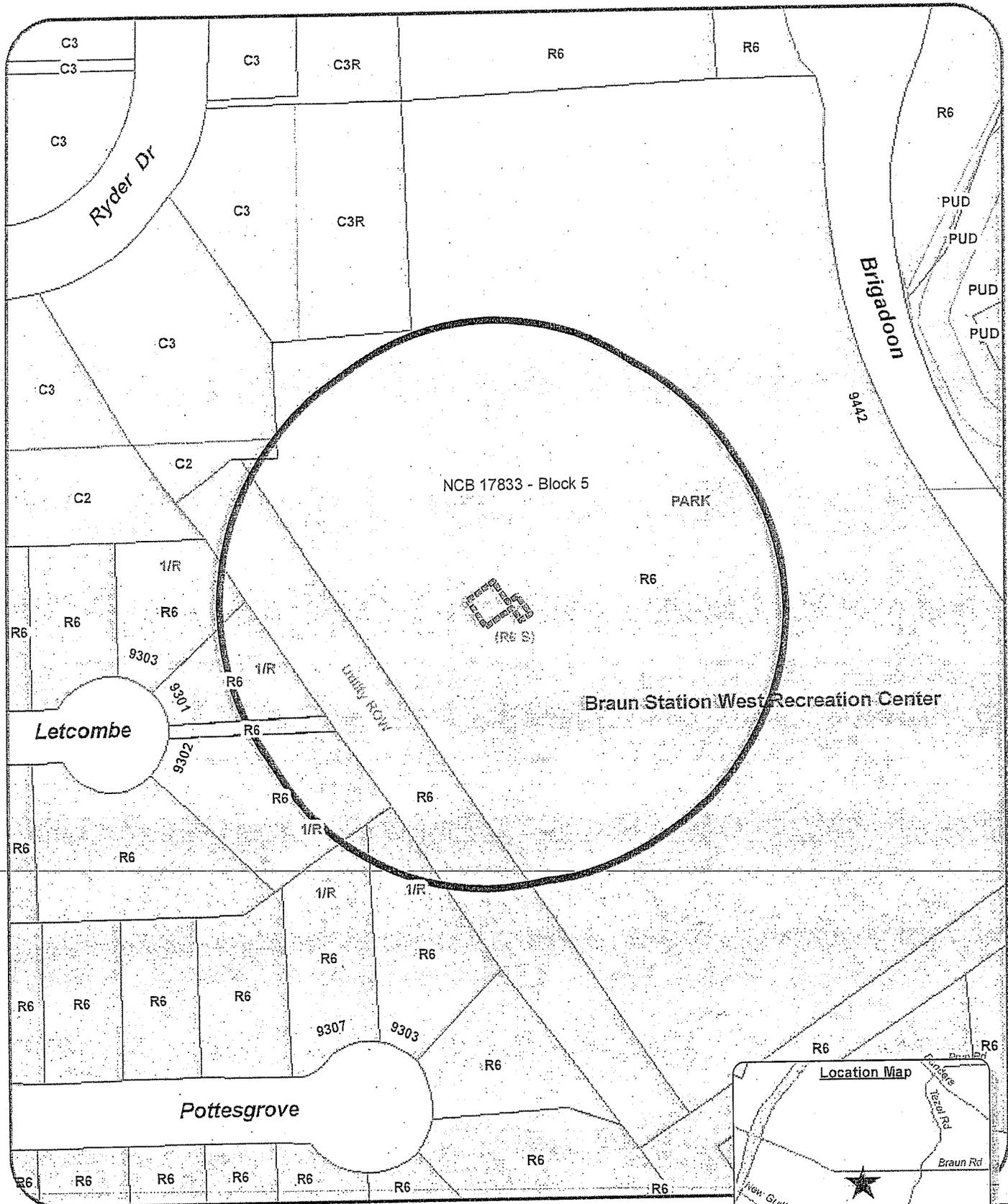
**Reviewer:** Michael Taylor

**Title:** Senior Planner

**Date:** 1/20/09

**Manager Review:** Andrea Gilles

**Date:** 2/09/09



**Zoning Case Notification Plan**  
**Case Z2009-039 S**  
 Council District 7  
 Scale: 1" approx. = 100'  
 Subject Property Legal Description(s): NCB 5014, 0.2533 acres out of Lot 85, Block 5

<b>Legend</b>	Subject Property	■■■■■■■■ (0.2533 acres)
	200' Notification Buffer	—————
	Current Zoning	R6
	Requested Zoning Change	(R6 S)
	100-Year FEMA Floodplain	~~~~~

City of San Antonio  
 Planning - Development Services Dept.  
 1/30/2009  
 D. E. Castillo

# CASE NO: Z2009039 S

## Final Staff Recommendation - Zoning Commission

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**Date:** February 17, 2009

**Council District:** 7

**Ferguson Map:** 546 A6

**Applicant Name:**

T-Mobile Wireless

**Owner Name:**

Braun Station West Community Improvement Association, Inc.

**Zoning Request:** From "R-6" Residential Single-Family District to "R-6 S" Residential Single-Family District with a Specific Use Authorization to allow a Wireless Communication System.

**Property Location:** 0.2533 acres out of Lot 85, Block 5, NCB 17883

9403 Brigadoon Road

West of Brigadoon Road within the Braun Station West Recreation Center.

**Proposal:** To allow a wireless communication system

**Neigh. Assoc.** Braun Station West Community Improvement Association within 200 feet

**Neigh. Plan** Northwest Community Plan

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

**Staff Recommendation:**

Denial

The applicant's proposal is to construct a wireless communications system on 0.2533 acres, near the southeast side of the property. This system will consist of a monopole 100 feet in height and an equipment shelter. According to the applicant, this location is a preferred site to eliminate gaps in cellular phone service in the area to better serve its customers. Section 35-385(d) of the Unified Development Code identifies wireless communications systems as permitted uses with a Specific Use Authorization provided all conditions outlined in subsection 1 of this section are met. Section 35-385(d) of the Unified Development Code requires support structures be located a minimum of 200 feet from all residential districts. The proposal does not meet the Subsection 2 requirements as the nearest residential land use is approximately 148 feet to the southeast. The Community Plan does not specifically address wireless telecommunication facilities; however, given the close proximity to residential neighborhoods, the requested site does not appear to be the most appropriate location for this use.

The proposed project will be located within the Braun Station West Community Center which has ingress/egress on Brigadoon Road on the northwest side of San Antonio. The Braun Station West Community Center was annexed in December 30 of 1985 and was zoned Temporary "R-1" Single Family Residence District, converting to "R-6" Residential Single-Family District in 2002. The property is adjacent to R-6 zoning to the north, west, south and east. The surrounding uses consist of open land, pool, tennis courts, a picnic area, and a 67.5 foot easement to the southwest. There is an existing residential subdivision to the southwest. The applicant is not requesting a change to the base zoning district.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. A required site plan submitted by the applicant is reviewed at the permit stage for compliance with all development standards applicable to the proposed use.

**CASE MANAGER:** Pedro Vega 207-7980



# Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2009039 S

**Address:** 9430 Brigadoon Rd.

**Existing Zoning:** R-6

**Requested Zoning:** R-6 S

**Registered Neighborhood Association(s):** Adjacent to Braun Station Neighborhood Association

**Neighborhood/Community/Perimeter Plan:** Northwest Community Plan

**Future Land Use for the site:** Low Density Residential

**Analysis:**

Low density residential land use includes single family residential development on individual lots. The applicant is requesting a zoning change to allow for a wireless telecommunications facility on a residentially zoned property. The subject parcel is surrounded by land use designated for Low Density Residential uses, minus a parcel to the northeast along Braun Road that is designated Neighborhood Commercial. Single Family subdivisions exist to the east, south and west of the proposed site location.

In the application for a change of zoning, the applicant points to not meeting required setbacks from a residentially zoned district. It appears from images provided as part of the application, that the tower does not meet the UDC requirement that antenna support structures shall be spaced at least 200 feet from residentially zoned districts. It appears that the 200ft tower radius diagram provided by the applicant shows infringement into lots 77 and 76 to the west of the subject area. Both lots are zoned R-6. The Community Plan does not specifically address wireless telecommunication facilities; however, given the close proximity to residential neighborhoods, the requested site does not appear to be the most appropriate location for this use.

**Other Comments:**

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

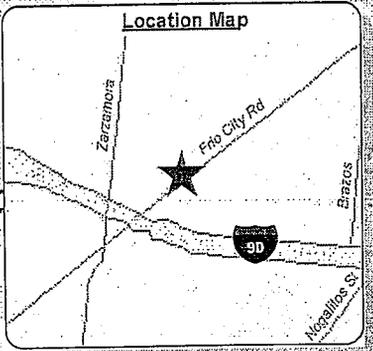
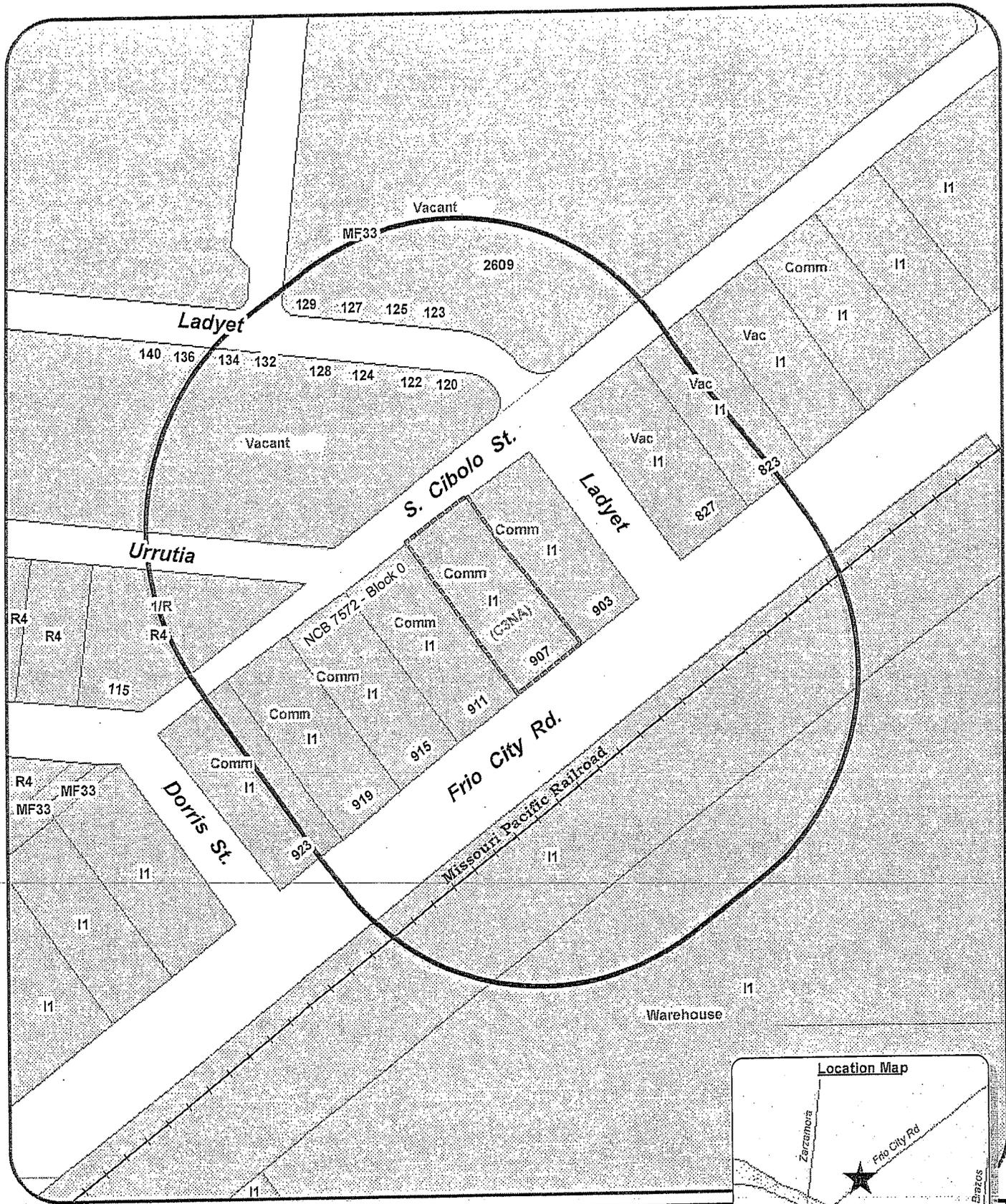
**Reviewer:** Andrea Gilles

**Title:** Sr. Management Analyst

**Date:** 1/29/09

**Manager Review:** Andrea Gilles

**Date:** 2/09/09



**Zoning Case Notification Plan**

**Case Z2009-040**

Council District 5  
 Scale: 1" approx. = 100'  
 Subject Property Legal Description(s): NCB 5014, Lot 9, Block 00

**Legend**

- Subject Property [Symbol] (0.2066 acres)
- 200' Notification Buffer [Symbol]
- Current Zoning: I-1
- Requested Zoning Change: (C3NA)
- 100-Year FEMA Floodplain [Symbol]



City of San Antonio  
 Planning - Development Services Dept.  
 1/29/2009  
 D. E. Castillo

# CASE NO: Z2009040

## Final Staff Recommendation - Zoning Commission

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**Date:** February 17, 2009

**Council District:** 5

**Ferguson Map:** 616 A8

**Applicant Name:**  
Nemecio F. Cordoba

**Owner Name:**  
Nemecio F. Cordoba

**Zoning Request:** From "I-1" General Industrial District to "C-3NA" Commercial Nonalcoholic Sales District.

**Property Location:** Lot 9, NCB 7572

907 Frio City Road

On the northwest side of Frio City Road between Ladyet Street and Dorris Street.

**Proposal:** To allow a auto and small truck tire repair

**Neighborhood Association:** Collins Garden Neighborhood Association

**Neighborhood Plan:** None

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

**Staff Recommendation:**

Approval

The subject property is located within the original city limits and totals approximately 0.2066 acres. There is an existing commercial structure on the property, which measures approximately 720 square feet and was constructed in 1977. Upon adoption of the 2001 Unified Development Code, the existing "I-1" General Industrial District converted from the previous 1938 "J" Commercial District. The "I-1" base zoning district does not allow an Auto Alarm and Radio Retail Store by right. "I-1" General Industrial District zoning currently exists to the southwest, northeast and across Frio City Road to the southeast. The existence of this industrial corridor is due to the adjacent rail lines which is currently active. Property to the northwest across South Cibolo Street is zoned "MF-33" Multi-Family District. The applicant is requesting a zoning change to re-use the vacant commercial building.

Staff believes that the existing "I-1" zoning district is not compatible with the commercial character of Frio City Road and that the subject property is unlikely to be utilized for industrial uses due to its size, shape and location. Uses allowed in "C-3NA" would be consistent with the zoning and use pattern of the area and conform to the general development pattern of Frio City Road. The requested "C-3NA" zoning is a downzoning from the existing "I-1" industrial zoning district. The proposed re-use of the existing vacant building would be a substantial improvement to the current conditions of the area. The "NA" zoning is proposed to eliminate the possibility of bars or other alcoholic beverage based facilities. The subject property had previously been an auto repair facility and tire repair for many years. The request supports the City Master Plan, which encourages the preservation and revitalization of vacant buildings in older neighborhoods located inside Loop 410.

**CASE MANAGER :** Pedro Vega 207-7980

MF33

R4  
1/R

R4 1/R

R4 1/R

Dance  
C1  
Studio

C3

Day

Care  
C3 3751

Church

C1

1/R

R4 R4  
803

802

R4 R4 R4  
1/R 1/R

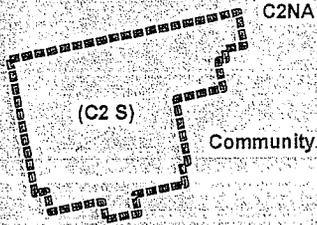
MH

Commercial Ave

C2NA

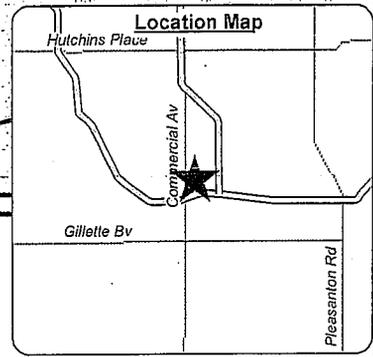
3750-3800

NCB 11982 - Block 1



Center

Drainage



### Zoning Case Notification Plan

## Case Z2009-044 S

Council District 3

Scale: 1" approx. = 100'

Subject Property Legal Description(s): 0.201 acres out of NCB 11982

#### Legend

Subject Property (0.201 acres)

200' Notification Buffer

Current Zoning C2NA

Requested Zoning Change (C2 S)

100-Year FEMA Floodplain



City of San Antonio  
Planning - Development Services Dept.  
1/28/2009  
D. E. Castillo

# CASE NO: Z2009044 S

## Final Staff Recommendation - Zoning Commission

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**Date:** February 17, 2009

**Council District:** 3

**Ferguson Map:** 682 B2

**Applicant Name:**

**Owner Name:**

Kaufman & Killen, Inc.

El Centro Del Barrio

**Zoning Request:** From "C-2 NA" Commercial District, Nonalcoholic Sales to "C-2 S" Commercial District with a Specific Use Authorization for a Party House, Reception Hall, Meeting Facility.

**Property Location:** 0.201 of an acre out of NCB 11982

3750-3800 Commercial Avenue

On the east side of Commercial Avenue, bound by West Ansley Boulevard to the north and West Baetz Boulevard to the south.

**Proposal:** To allow a Party House, Reception Hall, Meeting Facility

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

Approval

The subject property is currently occupied by a community/medical center. The property is adjacent to R-6, RM-4 and MF-33 zoning to the north, R-4, C-1 and C-3 zoning to the west, MF-33 zoning to the east and C-2 zoning to the south. The surrounding land uses consist of residential dwellings to the north, residential dwellings, a day care, dance studio and church to the west, a drainage easement and contractor facility to the south and a residential dwelling and undeveloped land to the east. The property to the south, which is located at 3906 Commercial Avenue, was the subject of a rezoning case in 2007 (Z2007174 CD) in which the applicant was granted a zoning change from R-6 Single-Family Residential District to C-2 Commercial District with a Conditional Use for a Contractor's Facility

The applicant is requesting a zoning change to allow a reception hall/meeting facility, which requires a Specific Use Authorization in C-2 zoning districts. The purpose of the specific use authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations.

Staff finds the request for a Specific Use Authorization to be appropriate given the subject property's location along a major arterial, Commercial Avenue (a Secondary Arterial "Type B" street). Further, the base zoning district for the subject property will remain C-2 Commercial District, which already permits the medical/community center use as well as a variety of other uses and does not limit building size. The applicant has indicated to staff that approximately 8,700 square feet will be utilized for the reception hall/meeting facility and the remaining portion of the property will continue to maintain the "NA" Nonalcoholic Sales designation. The property is approximately 10 acres and the proposed reception hall/meeting facility will be located over 160 feet from Commercial Avenue. Therefore, the requested Specific Use Authorization would be appropriate at this location and would not be out of character with the neighboring properties. The

# CASE NO: Z2009044 S

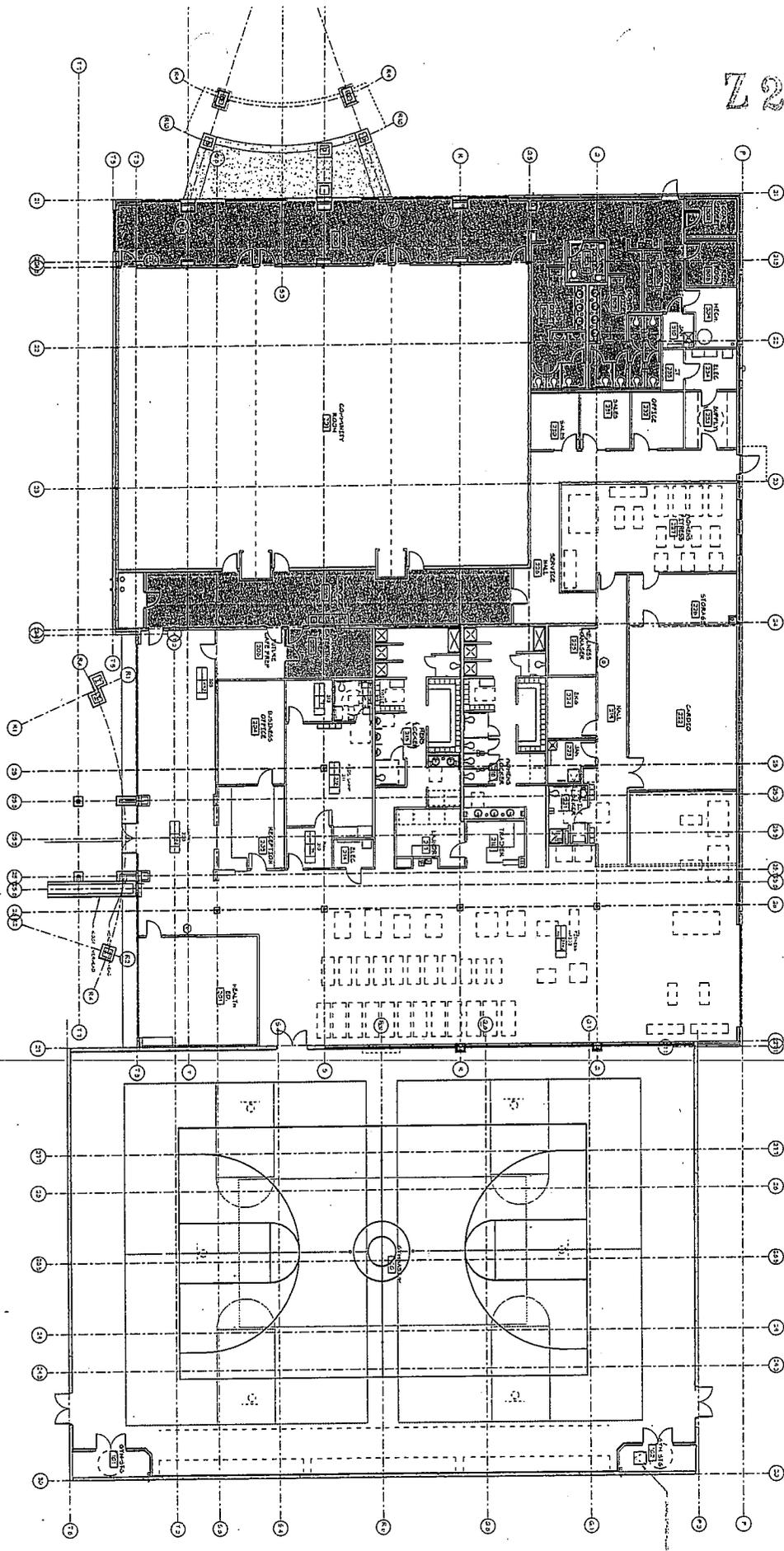
Final Staff Recommendation - Zoning Commission

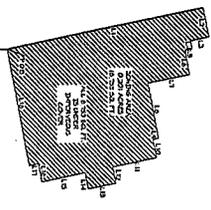
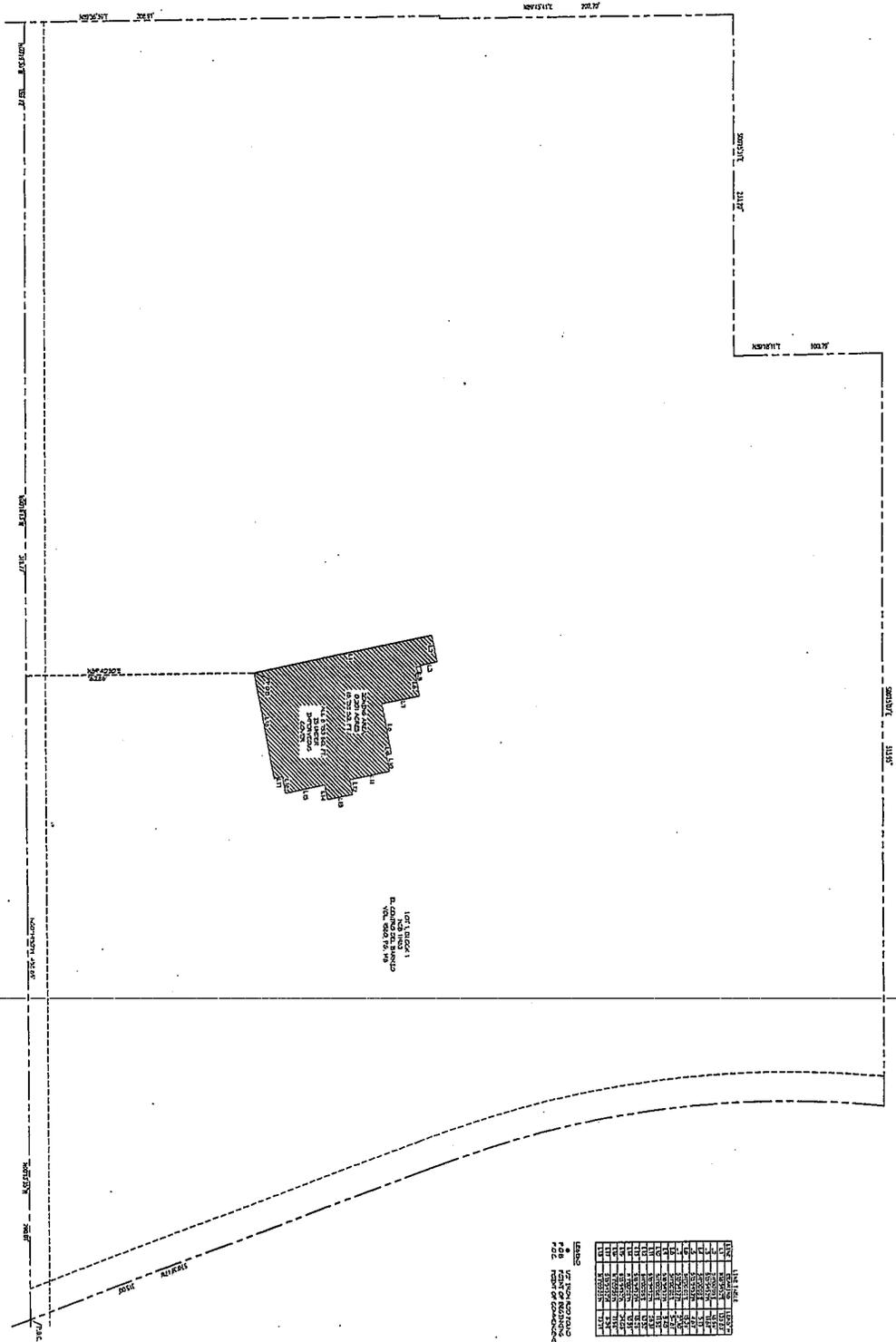
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subject property is adjacent to existing commercial zoning to the west and south as well as multi-family zoning to the east making continued commercial development of the property appropriate as well.

**CASE MANAGER :** Brenda Valadez 207-7945

Z2009044





LOT 1, BLOCK 1  
 COMMERCIAL, ZONED  
 COMMERCIAL, ZONED  
 COMMERCIAL, ZONED

NO.	DESCRIPTION	DATE
1	PRELIMINARY	11/11/11
2	REVISION	11/11/11
3	REVISION	11/11/11
4	REVISION	11/11/11
5	REVISION	11/11/11
6	REVISION	11/11/11
7	REVISION	11/11/11
8	REVISION	11/11/11
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29	REVISION	11/11/11
30	REVISION	11/11/11

DATE: 11/11/11  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]

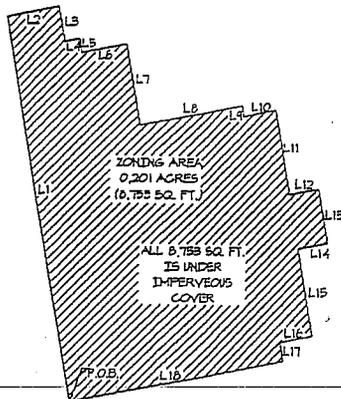
CDN#2053-270

2053  
 A0.52A

SITE PLAN - COMM. RM. RE-ZONE PLAN  
**CENTROMED - COMMUNITY HEALTH CEN.**  
 3750 COMMERCIAL AVENUE  
 SAN ANTONIO, TEXAS



N87°10'11"E  
100.79'

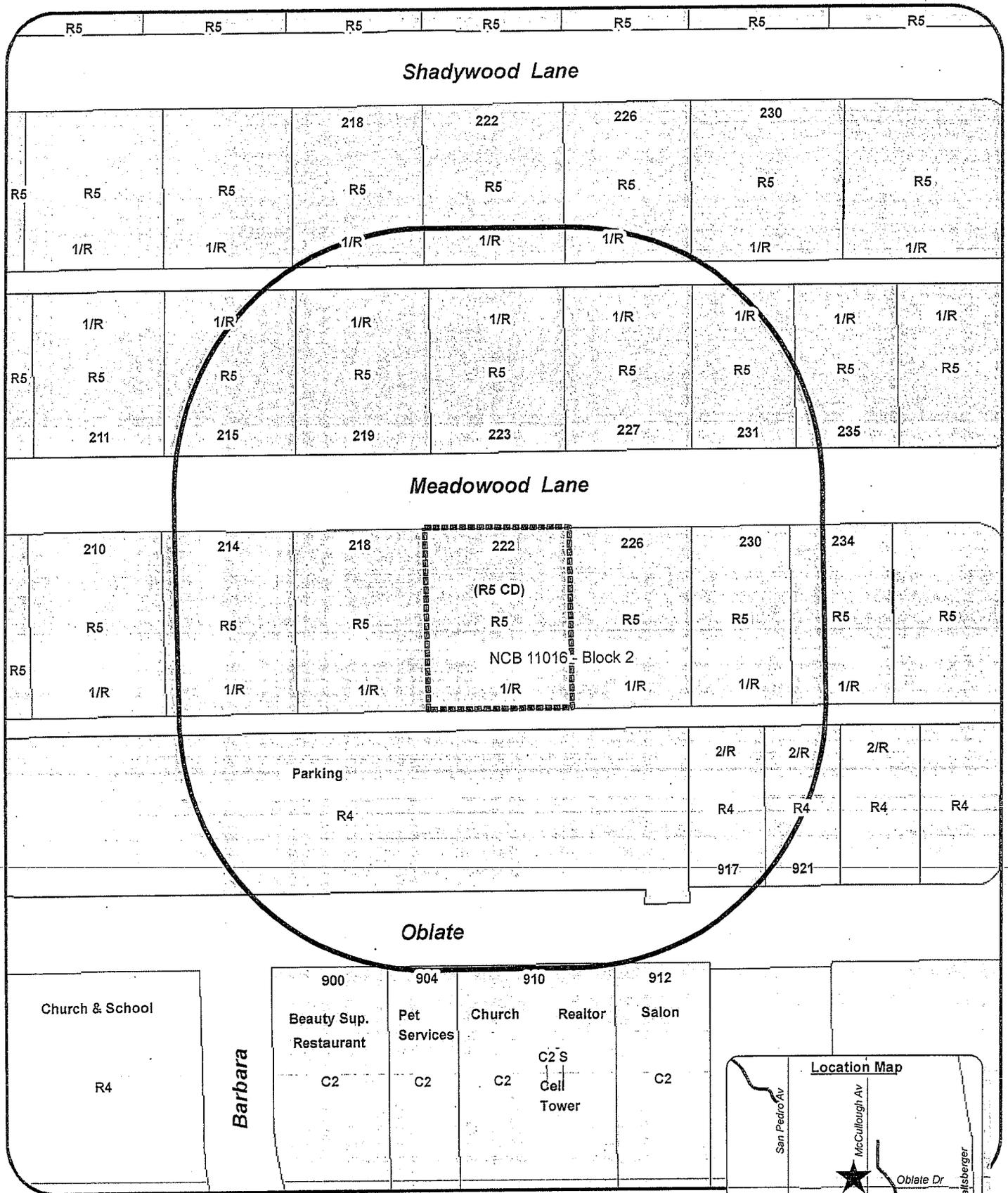


LOT 1, BLOCK 1  
NCS 114B2  
EL CENTRO DEL BARRIO  
VOL. 5580, PG. 165

N87°40'30"E  
167.286'

N00°15'13"W  
318.77'

N00°19'30"W  
433.85'



**Zoning Case Notification Plan**  
**Case Z2009045 CD**

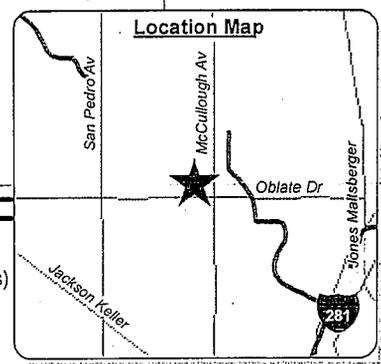
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 10, Block 2, NCB 11016

**Legend**

- Subject Property (0.3535 acres)
- 200' Notification Buffer
- Current Zoning R5
- Requested Zoning Change (R5 CD)
- 100-Year FEMA Floodplain



City of San Antonio  
 Planning - Development Services Dept.  
 1/29/2009  
 D. E. Castillo

# CASE NO: Z2009045 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** February 17, 2009

**Council District:** 1

**Ferguson Map:** 582 E1

**Applicant Name:**

**Owner Name:**

Mona Talukdar

Blair & Adis Ponsdomenech-Haney

**Zoning Request:** From "R-5" Residential Single-Family District to "R-5 CD" Residential Single-Family District with a Conditional Use for an assisted living facility.

**Property Location:** Lot 10, Block 2, NCB 11016

222 Meadowood Lane

On the south side of Meadowood Lane, between McCullough Avenue and Dellwood

**Proposal:** To allow an assisted living facility

**Neigh. Assoc.** Shearer Hills/Ridgeview Neighborhood Association

**Neigh. Plan** North Central Neighborhoods Community Plan

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

**Staff Recommendation:**

Denial.

The subject property is located on the south side of Meadowood Lane between Dellwood and McCullough Avenue, and is approximately one-third of an acre in size. The subject property is developed with a single-family dwelling, which measures approximately 2,100 square feet and was built in 1961. The subject property was annexed in September 1952, per Ordinance 18115; and was originally zoned "A" Single Family Residence District. Upon the adoption of the 2001 Unified Development Code, the previous zoning converted to "R-5" Residential Single-Family District. The subject property is immediately surrounded by a mix of "R-4" and "R-5". Other surrounding zoning includes "C-2" and "C-3" to the south across Oblate. Surrounding land uses include single-family homes to the north, east, and west; with a parking lot and duplexes to the south, along the north side of Oblate. There is a retail center on the south side of Oblate that includes uses such as a restaurant, pet grooming, beauty salon and supply, and equipment rental.

The Unified Development Code defines "assisted living facility" as "a residential setting that provides either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons." Assisted living facilities are licensed and regulated by The Assisted Living Facility Licensing Act through the Texas Department of Aging and Disability Services.

The North Central Neighborhoods Community Plan identifies Low Density Residential as the future land use at this location. Low Density Residential areas are primarily composed of single-family houses on individual lots, located on streets with low traffic volume. The subject property is located on Meadowood Lane, which is identified as a local street in the City's Major Thoroughfare Plan. Existing commercial uses in this neighborhood are located along collector streets and arterials. Staff finds the request to be inappropriate for the subject property location, as it would constitute commercial encroachment into a well established residential neighborhood.

Staff recommends denial, however if approved, the following conditions are applicable per the Unified

# CASE NO: Z2009045 CD

## Final Staff Recommendation - Zoning Commission

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Development Code, unless otherwise modified by City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
- C. Business or office hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

Should the requested rezoning be approved, staff additionally recommends the following conditions to ameliorate negative impacts to neighboring homes:

- 1. The facility must be licensed by the appropriate state agency as an assisted living facility.
- 2. There shall be no more than four (4) residents at any given time, not including live-in staff.
- 3. Parking shall be limited to the two-lane driveway and garage area (no increased parking in the front, side, or rear yards).

**CASE MANAGER :** Micah Diaz 207-5876

# Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2009045

**Address:** 222 Meadowood Lane

**Existing Zoning:** R-5

**Requested Zoning:** R-5CD Assisted Living/Elderly Facility

**Registered Neighborhood Association(s):** Shearer Hills-Ridgeview Neighborhood Association

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

**Future Land Use for the site:** Low Density Residential

Low Density Residential areas are composed mainly of single family dwellings on individual lots. This classification describes established residential neighborhoods of low to medium density, and supports compatible in-fill development.

### Analysis:

The applicant is seeking an R-5 Residential Single-Family District with a Conditional Use designation to operate an assisted living/elderly facility. The UDC defines an assisted living facility as a residential setting that provides either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons.

The proposed site is located at 222 Meadowood Lane and is set within a predominantly single family residential neighborhood. The property is surrounded to the north, west and east by low density, single-family residential uses and directly to the south by a parking lot. Although the Community Plan does include objectives that support the development of elderly care facilities in the plan area, objectives within the Neighborhood and Economic Development Section point to resident concern over business encroachment into residential areas. The extent of the subject property's location within an established single family residential neighborhood does not lend itself to be the most appropriate location for the proposed facility.

Request conforms to Land Use Plan

Request does not conform to Land Use Plan

Consistency not required because base zoning not changing

### Other Comments:

#### Staff Recommendation:

Approval

Denial

Alternate Recommendation

Should the zoning request be approved, staff recommends that the facility be limited to four (4) residents. In addition, the low density residential character and scale of the structure should be maintained to keep in character with the surrounding single family neighborhood.

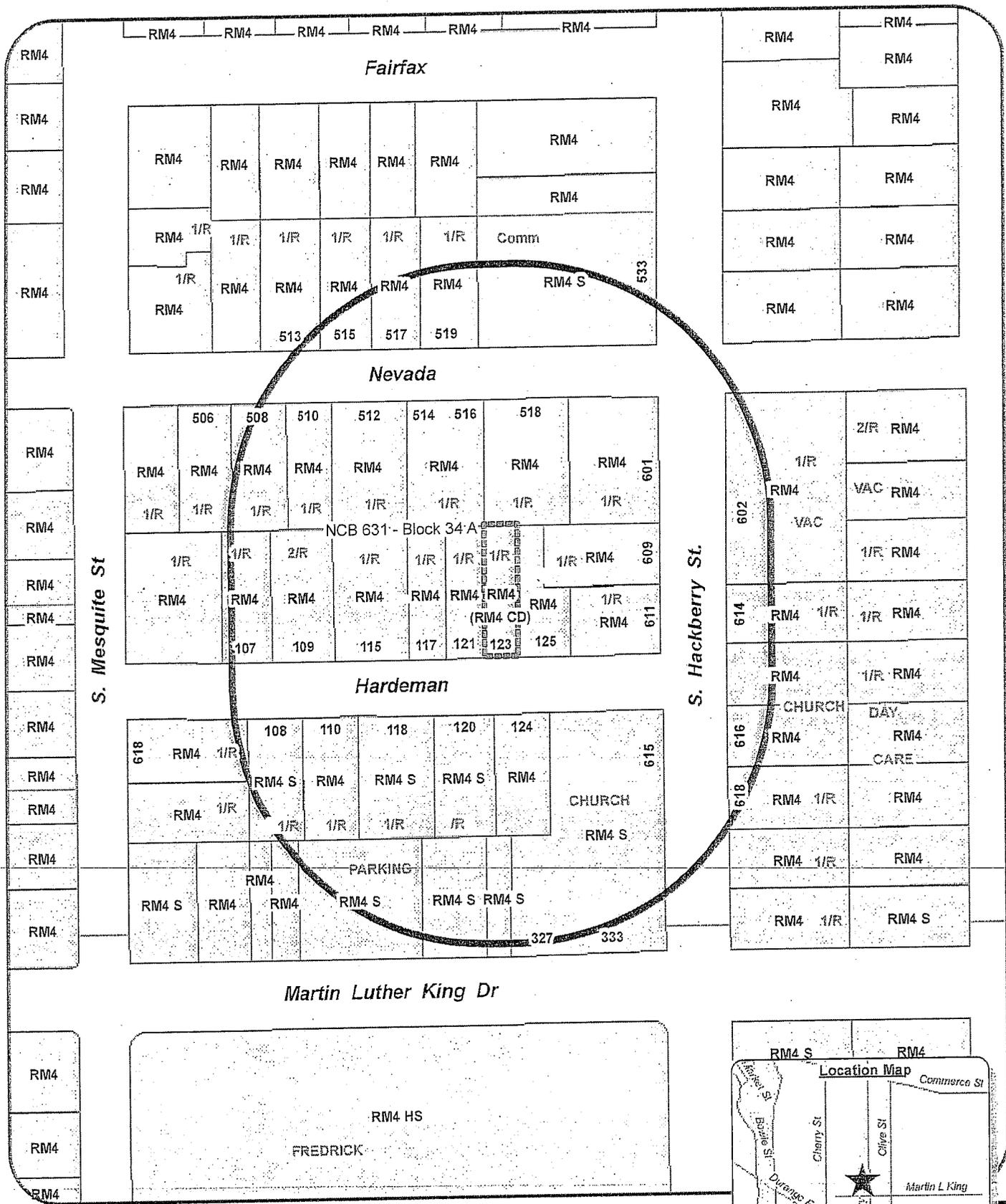
**Reviewer:** Andrea Gilles

**Title:** Senior Management Analyst

**Date:** 2/11/09

**Manager Review:** Nina Nixon-Mendez

**Date:**



# Zoning Case Notification Plan

## Case Z2009-046 CD

Council District 2

Scale: 1" approx. = 100'

Subject Property Legal Description(s): NCB 631 Lot A-11 Blk 34A

### Legend

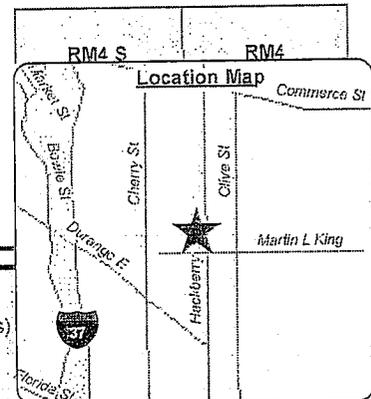
Subject Property: [Dashed Box] (0.0564 acres)

200' Notification Buffer: [Thick Solid Line]

Current Zoning: RM4

Requested Zoning Change: (RM4 CD)

100-Year FEMA Floodplain: [Dotted Line]



City of San Antonio  
 Planning - Development Services Dept.  
 1/29/2009  
 D. E. Castillo

# CASE NO: Z2009046 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** February 17, 2009

**Council District:** 2

**Ferguson Map:** 617 B6

**Applicant Name:**  
Mount Zion First Baptist Church

**Owner Name:**  
Mount Zion First Baptist Church

**Zoning Request:** From "RM-4" Residential Mixed District to "RM-4 CD" Residential Mixed District with a Conditional Use for a Noncommercial Parking Lot.

**Property Location:** The west 27 feet of Lot A-11, Block 34A NCB 631

123 Hardeman Street

On the north side of Hardeman Street between South Hackberry Street and South Mesquite Street.

**Proposal:** To allow for a noncommercial parking lot

**Neigh. Assoc.** Historic Gardens Home Owners Association and Nevada Street Neighborhood Association is within 200 feet

**Neigh. Plan** Downtown Neighborhood Plan

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

### **Staff Recommendation:**

Denial

The subject property is located a few blocks east from the Downtown area on the north side of Hardeman Street west of South Hackberry Street. It is located within the original city limits, totals approximately 0.0564 of an acre and is currently occupied by a vacant single-family dwelling. The existing single-family dwelling was constructed in 1916 and measures approximately 768 square feet. Following the adoption of the 2001 Unified Development Code, the existing "RM-4" Residential Mixed District converted from "R-2" Two Family Residence District. The surrounding zoning consists of "RM-4" Residential Mixed District to the north, west, east and across Hardeman Street to the south. Uses along Hardeman Street are predominantly single-family or low-density residential uses. The proposal is to construct a noncommercial parking lot for the Mount Zion First Baptist Church located at 333 Martin Luther King. The applicant is not requesting a change to the base zoning district.

This request does not conform to the Downtown Neighborhood Plan. The future land use plan designates the future land use for the subject property as residential land use within the Denver Heights district. The Denver Heights district consists of single family housing at a maximum density of 8 units per gross acre. Continuation of infill and housing rehabilitation development to maintain existing neighborhood character is desired. The expansion of parking further into the neighborhood surrounded by single family residential could be a nuisance to neighboring residents and encourage further encroachment into the neighborhood. There has been recent rehabilitation of single family residential properties on the same block as the subject property. The demolition and development of parking in the neighborhood is not recommended as this may have a negative impact on current revitalization efforts to rehabilitate the housing stock.

The conditional zoning procedure is designed to provide for a land use that is not permitted by the established zoning district but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. The granting of a conditional use shall not be for all of the uses permitted in a given district but shall be only for the use (bookkeeping office, photography studio, etc.) named in the ordinance approving the rezoning.

**CASE MANAGER :** Pedro Vega 207-7980



# Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009046

Address: 123 Hardeman

Existing Zoning: RM-4

Requested Zoning: RM-4 CD (Non-commercial Parking Lot)

Registered Neighborhood Association(s): Historic Garden Homeowners' Association (INACTIVE) and within 200 feet of Nevada Street Neighborhood Association

Neighborhood/Community/Perimeter Plan: Downtown Neighborhood Plan

Future Land Use for the site: Residential

The future land use plan designates the future land use for the subject property as residential land use within the Denver Heights district. The Denver Heights district consists of single family housing at a maximum density of 8 units per gross acre. Continuation of infill and housing rehabilitation development to maintain existing neighborhood character is desired. (Downtown Neighborhood Plan, p. 10)

The subject property also lies within the East Neighborhood which identifies the long term vision of the Denver Heights area to, "develop and rehabilitate housing, parks, and businesses in existing neighborhoods" (Downtown Neighborhood Plan, p. 24).

#### Analysis:

The subject property is neighbored by a vacant lot to the east and single family residential houses to the north and west. A single family residential house currently exists on the subject property. The house will need to be demolished or removed in order to allow for the parking lot. The plan suggests that housing rehabilitation is preferred to demolition.

The proposed parking lot would be used by parishioners of the Mt. Zion Baptist Church which is located across the street from the subject property. The church has purchased most of the lots within the block that it is located. The expansion of parking further into the neighborhood surrounded by single family residential could be a nuisance to neighboring residence and encourage further encroachment into the neighborhood.

The width of the street frontage of the subject property does not lend itself to be easily developed for parking. The proposed parking would produce few parking spaces to alleviate the current parking situation for the church congregation. It is recommended that the church develop parking on the church owned vacant lots immediately adjacent to the church within the same block and not across the street. The lots on the same block as the church are much larger and would produce more parking spaces. As a property owner, the church is encouraged to secure the property and properly maintain it. A rehabilitated use other than a parking lot is recommended such as residential, church offices, or storage.

There has been recent rehabilitation of single family residential properties on the same block as the subject property within the neighborhood. The demolition and development of parking in the neighborhood is not recommended as this may have a negative impact on current revitalization efforts to rehabilitate the housing stock.

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: Rebecca Paskos

Title: Senior Planner

Date: 2/09/09

Manager Review: Andrea Gilles

Date: 2/09/09

12/30/04



- Conditional / Specific Uses**
- 1 - Conditional Use for Tree Outland Trim Service
  - 2 - Conditional Use for Sand and Gravel Storage and Sales
  - 3 - Specific Use for a Bar / Tavern
  - 4 - Conditional Use for Food Products Wholesale & Storage
  - 5 - Conditional Use for Hardware Sales Wholesale
  - 6 - Specific Use for a Welding Shop
  - 7 - Conditional Use for Auto & Light Truck Repair
  - 8 - Conditional Use for Wrecker Service
  - 9 - Specific Use for a Car Wash
  - 10 - Conditional Use for Warehousing
  - 11 - Conditional Use for Outside Storage

Council District 6  
 Scale: 1" approx. = 375'

**Legend**

Subject Property [shaded box]

200' Notification Buffer [dashed line]

Proposed Zoning [line style]

Addresses 1234 [line style]

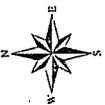
**Proposed Zoning**

Residential [line style]

Commercial [line style]

Multi Family [line style]

Office [line style]



81.6 - Acres Being Re-Zoned

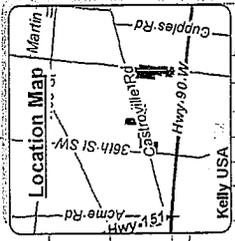
148 - Properties Being Re-Zoned

553 - Properties Within 200' Notification Buffer

**Zoning Case Notification Plan**

**Z-2008-274 - General McMullen S and Castroville Rd**

**Proposed Zoning - Sheet 1 of 3**







# CASE NO: Z2008274 CD S

## Final Staff Recommendation - Zoning Commission

Date: February 17, 2009

Council District: 6

Ferguson Map:

Applicant Name:

Owner Name:

City of San Antonio

Multiple Property Owners

**Zoning Request:** From "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-6" Residential Single-Family District, "MF-33" Multi-Family District, "C-1 S" Light Commercial District with a Specific Use Authorization for an Athletic Field, "C-2" Commercial District, "C-3" General Commercial District, "C-3 NA" General Commercial District, Nonalcoholic Sales, "C-3 R" General Commercial District, Restrictive Alcohol Sales, "I-1" General Industrial District to "R-4" Residential Single-Family District, "R-5" Residential Single-Family District, "R-5 CD" Residential Single-Family District with a Conditional Use for Multi-Family Dwellings, "R-5 CD" Residential Single-Family District with a Conditional Use for a Four Family Dwelling, "R-5 CD" Residential Single-Family District with a Conditional Use for a Two-Family Dwelling "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Three-Family Dwelling, "MF-33" Multi-Family District, "MF-33 CD" Multi-Family District with a Conditional Use for a Noncommercial Parking Lot, "O-1" Office District, "NC" Neighborhood Commercial, "C-2" Commercial District, "C-2 NA" Commercial District, Nonalcoholic Sales, "C-2 S" Commercial District with a Specific Use Authorization for a Bar/Tavern, "C-2 NA S" Commercial District with a Specific Use Authorization for a Car Wash, "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Outside Storage, "C2 NA CD" Commercial District, Nonalcoholic Sales District with a Conditional Use for an Auto and Light Truck Repair Facility, "C-2 NA CD" Commercial District, Nonalcoholic Sales District with a Conditional Use for a Tree Cut and Trim Service, "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Sand or Gravel-Storage and Sales, "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Hardware-Sales-Wholesale, "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for a Wrecker Service, "C-2 NA CD" Commercial District, Nonalcoholic Sales District with a Conditional Use for a Contractor Facility, "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Auto Glass Sales, "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for an Auto Paint and Body Facility, "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for a Veterinary Hospital-Small Animal [No outside runs, pens, and paddocks permitted]), "C-2 NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Food Products-Wholesale and Storage, "C-3 R" General Commercial District, Restrictive Alcohol Sales, "C-3 NA" General Commercial District, Nonalcoholic Sales, "C-3 NA CD" General Commercial District, Nonalcoholic Sales with a Conditional Use for Warehousing, "C-3 NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for a Welding Shop, "C-3 NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for Auto Alarm and Radio Sales and Installation.

**Property Location:** Multiple properties generally located on Southwest 36th Street bound by Marbauch Avenue to the north and Ceralvo Street to the South; located on Castroville Road, bound by Marbauch Avenue, Akron and Wallace Streets to the north, Southwest 36th Street to the west, South General McMullen to the East and Ceralvo Street to the south; and located on South General McMullen bound by Castroville Road to the north, Juanita Street to the west, Camilo and Amerada to the east and Patton Boulevard to the south.



# CASE NO: Z2008274 CD S

## Final Staff Recommendation - Zoning Commission

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**Proposal:** To make the zoning compatible with surrounding land uses and to protect the interior residential neighborhood.

**Neigh. Assoc.** Greater Gardendale Neighborhood Association. Community Workers Council and Los Jardines Neighborhood Association are within 200 feet.

**Neigh. Plan** None

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

### Staff Recommendation:

Approval

The rezoning request, which was initiated by the City of San Antonio, is to rezone properties generally located along Castroville Road and South General McMullen in order to bring properties into conformity with the current provisions of the Unified Development Code. Per direction from City Council, the Planning and Development Services Department has conducted a study of these properties and is recommending a rezoning proposal that would be compatible with the current uses while attempting to provide consistency with current and proposed adjacent zoning districts.

The subject area consists of 148 properties that are generally located to the north and south of Castroville Road and to the east and west of South General McMullen per the exhibit maps. Staff supports the rezoning request being that the multiple zoning districts proposed are consistent with the area. Additionally, this request would constitute a down-zoning for some parcels from "I-1" General Industrial and "C-3" General Commercial zoning districts. Industrial uses are not appropriate adjacent to residential neighborhoods. The corridors were previously zoned "JJ" Commercial District under the 1938 Unified Development Code, as well as, "B-3" Business District under the 1965 zoning ordinance. Upon adoption of the 2001 UDC, the 1938 and 1965 zoning districts were converted to the current zoning districts. The "JJ" Commercial zoning district converted to "I-1" General Industrial District, the "B-3" Business zoning district converted to "C-3" General Commercial District. Though these properties are zoned for industrial and heavy commercial uses, they are utilized predominantly for residential and medium intensity commercial purposes.

Further, this area is predominately characterized by single-family residences in the interior of the neighborhood (generally not having frontage on any major arterial road). The periphery of the neighborhood (properties with frontage on Castroville Road and South General McMullen) are a combination of residential and commercial land uses, with the majority of commercial uses fronting on both Castroville Road and South General McMullen.

Staff is recommending the "R" Restrictive Alcohol Sales and "NA" Nonalcoholic Sales designations for some properties. This recommendation will limit the number of establishments that sell alcohol adjacent to the neighborhood. Staff believes that the proposed rezoning would serve to maintain the integrity of the neighborhood while balancing the needs and future potential of the properties along the periphery of the neighborhood.

Staff invited all property owners to an Open House on September 24, 2008 at the Madonna Neighborhood Center. The proposed rezoning map was presented to the attendees, along with general information about the rezoning process. Subsequently, staff met with property owners on an individual basis. The current proposal is the product of a collaboration with the individual property owners and the City Council office.

**CASE MANAGER :** Brenda Valadez 207-7945