

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

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

**February 3, 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	

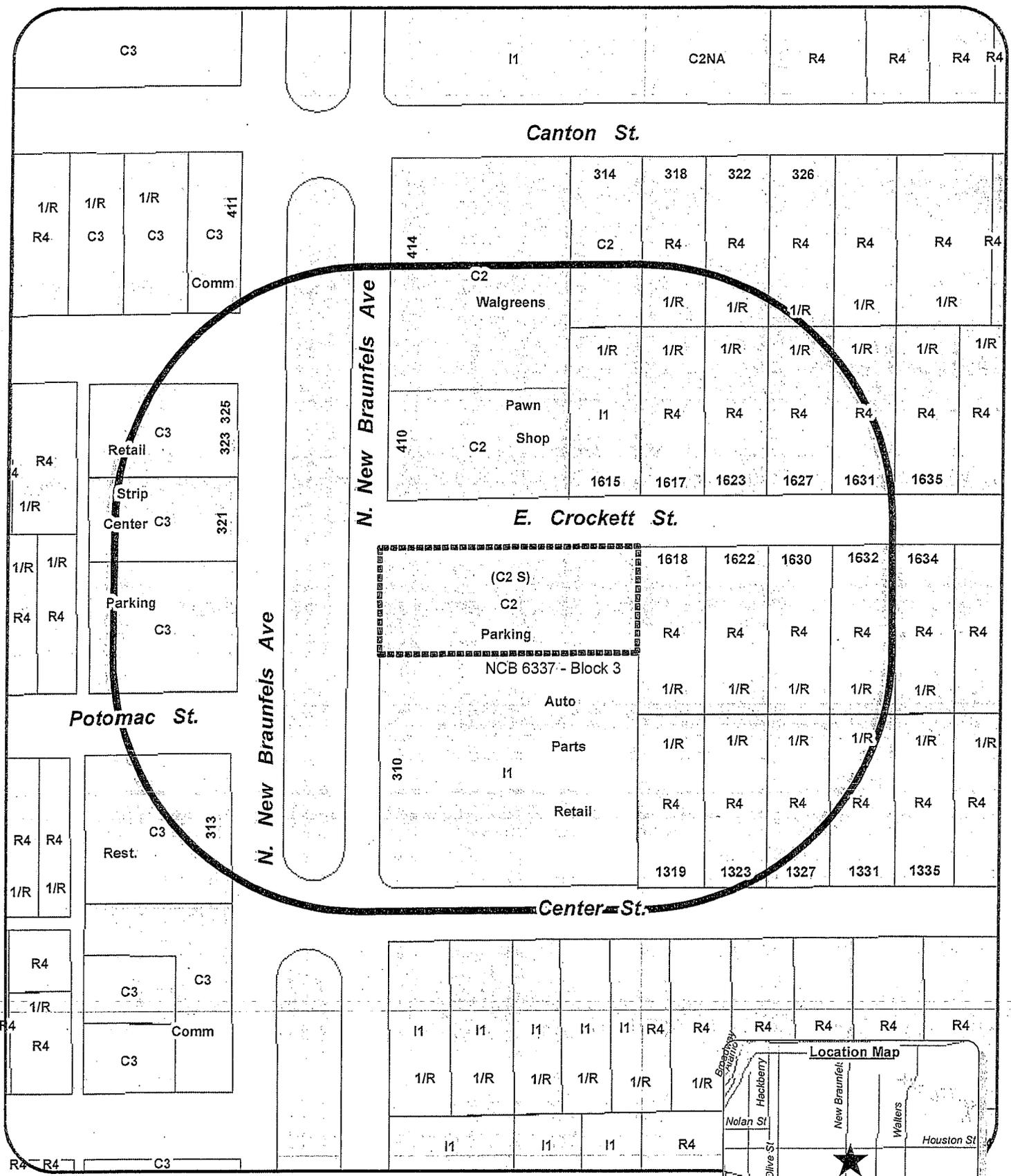
1. 12:45 PM - Work Session discussion of policies and administrative procedures and any items for consideration on the agenda for February 3, 2009, in the Tobin Room, 1901 South Alamo Street, Cliff Morton Development and Business Services Center.
2. 1:00 P. M. – Call to Order – Board Room
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of January 12, 2009 Zoning Commission Subcommittee Minutes.
6. Approval of January 20, 2008 Zoning Commission Minutes.
7. **ZONING CASE NUMBER Z2009035 - PULLED:** 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 South 110.5 feet of Lot 3, NCB 1751, 306 East Myrtle Street. (Council District 1)
8. **ZONING CASE NUMBER Z2009036 ERZD - POSTPONED:** A request for a change in zoning from “C-2 ERZD” Commercial Edwards Recharge Zone District and “R-6 ERZD” Residential Single-Family Edwards Recharge Zone District to “MF-25 ERZD” Multi Family Edwards Recharge Zone District on Lot 2B, Lot 2E, Lot 2F, the north 112.11 feet of Lot 3, the north 304.36 feet of Lot 127B, Lot 127G, and Lot 127J, NCB 14865, 14215 and 14325 Babcock Road. (Council District 8)
9. **ZONING CASE NUMBER Z2009025 S:** A request for a change in zoning from “C-2” Commercial District to “C-2 S” Commercial District with a Specific Use Authorization for a Pay Day Loan Agency on the north 75 feet of Lots 13A through 16A and the north 75 feet of Lots 13B through 16B, Block 3, NCB 6337, 316 North New Braunfels Avenue. (Council District 2) Pg. 5

10. **ZONING CASE NUMBER Z2009030 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 a Bakery on the east 50 feet of the north 150 feet of Lot 25, Block 3, NCB 8418, 723 Gardina Street. (Council District 1) Pg. 10
11. Briefing by Zoning Staff on the Castroville Road/ General McMullen Comprehensive Corridor Rezoning Case.
12. Briefing by Neighborhood Planning and Urban Design Staff on the River North District Master Plan.
13. Briefing by the Zoning Commission Subcommittee concerning its activities and possible action by Zoning Commission on policy recommendations.
14. Director's Report: Update on Comprehensive Rezoning Cases and UDC Amendments.
15. 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.
16. **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 Z2009-025 S**

Council District 2  
 Scale: 1" approx. = 100'  
 Subject Property Legal Description(s): Lot 13A,B,14A,B,15A,B,16A,B, NCB 6337 Blk 3

**Legend**

- Subject Property [dotted pattern] (0.3444 acres)
- 200' Notification Buffer [solid black line]
- Current Zoning C2
- Requested Zoning Change (C2 S)
- 100-Year FEMA Floodplain [dashed pattern]



City of San Antonio  
 Planning - Development Services Dept.  
 12-10-2008  
 D. E. Castillo

# CASE NO: Z2009025 S

## Final Staff Recommendation - Zoning Commission

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**Date:** February 03, 2009  
**Council District:** 2  
**Ferguson Map:** 617 C5`  
**Applicant Name:** Texas EZ Money, L. P.  
**Owner Name:** K-JO 410 New Braunfels, Ltd.  
**Zoning Request:** From "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Authorization for a Pay Day Loan Agency.  
**Property Location:** The north 75 feet of Lots 13A through 16A and the north 75 feet of Lots 13B through 16B, Block 3, NCB 6337  
316 North New Braunfels Avenue  
On the east side of North New Braunfels Avenue, between East Crockett Street to the north and Center Street to the south.  
**Proposal:** To allow a Pay Day Loan Agency  
**Neigh. Assoc.** Arena District/Eastside Community Plan  
**Neigh. Plan** Jefferson Heights Association  
**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Approval

The subject property consists of undeveloped land with ingress/egress on North New Braunfels Avenue (a Primary Arterial "Type B" street) and East Crockett Street (a local street). The property is adjacent to R-4, C-2 and I-1 zoning to the north, I-1 and R-4 zoning to the south, R-4 zoning to the east and C-3 zoning to the west. The surrounding land uses consist of a pawn shop to the north; a retail strip center to the west; residential dwellings to the east and an auto parts retail store to the south. The subject property, as well as the property to the north, were the subject of rezoning case (Z2008076) in which the applicant was granted a zoning change from I-1 General Industrial District to C-2 Commercial District to allow a bank.

The applicant is requesting a zoning change to allow the relocation of an existing pay day loan agency, 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 to be appropriate given the subject property's location along a major arterial, and the prevalence of commercial zoning and uses to the north, south and west. The subject property is bound by existing commercial zoning to the north and south, making commercial development of the property suitable. The Arena District/Eastside Community Plan calls for Medium Density, Single-Family and Mixed Residential land use for the subject property. However, the plan indicates that one of the area's greatest challenges is significant areas of undeveloped land interspersed with development. The requested Specific Use Authorization would not be out of character with the neighboring properties and would provide an opportunity for infill development as defined in the plan.



# **CASE NO: Z2009025 S**

## **Final Staff Recommendation - Zoning Commission**

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Furthermore, if this zoning change request is approved, a Type B buffer will be required along the east property line and a Type E buffer will be required along the south property line of the subject property to screen and separate the requested zoning district from adjoining single-family residential and industrial zoning districts.

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



# Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2009025

Address: 316 N. New Braunfels

Existing Zoning: C-2

Requested Zoning: C-2S

Registered Neighborhood Association(s): Jefferson Heights

Neighborhood/Community/Perimeter Plan: Arena District / Eastside Community Plan

Future Land Use for the site: Medium Density, Single Family and Mixed Residential

### Analysis:

The subject tract of land is approximately 0.3444-acres located at 316 N. New Braunfels. The applicant is seeking a zoning change from C-2 to C-2 S to develop a check cashing facility. The subject property is located within the Arena District / Eastside Community plan, just south of the N. New Braunfels, E Houston St. Intersection.

The site of the proposed request is designated Medium Density, Single Family and Mixed Residential within the Community Land Use Plan. The plan classifies Medium density, Single Family and Mixed Residential land use as single family homes, accessory dwellings, duplexes, three and four family dwellings, cottage homes and townhouses. However, the property is located on N. New Braunfels, a Primary Arterial Type B and identified as a gateway on the proposed urban design concept map on pg. 39 of the plan. In addition, the plan states that there are "significant areas of undeveloped land interspersed within development" (pg 31) and that this is one of the area's greatest challenges (pg 30) and this is a vacant property that has a chance to be developed. The planning guidelines state that existing neighborhoods should be protected "by providing them with the necessary improvements to enable infill development and redevelopment" (pg 29) and providing a buffer from a busy street will help to protect the existing houses within the block.

A commercial land use of this type is appropriate for the subject property and because the base zoning district is not changing, the request is consistent with the Community Land Use 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: Lauren Edlund

Title: Planner

Date: 12/09/08

Manager Review: Nina Nixon-Mendez

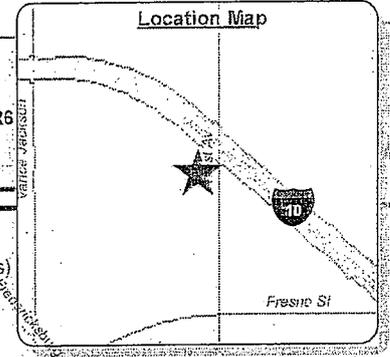
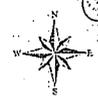
Date: 12/22/08



**Zoning Case Notification Plan**  
**Case Z2009-030 CD**

Council District 1  
 Scale: 1" approx. = 100'  
 Subject Property Legal Description(s): NCB 8418, East 50 feet of North 150 feet of Lot 25, Block 3

- Legend**
- Subject Property (0.1194 acres)
  - 200' Notification Buffer
  - Current Zoning **R5**
  - Requested Zoning Change **(R5 CD)**
  - 100-Year FEMA Floodplain



City of San Antonio  
 Planning - Development Services Dept.  
 12/30/2008  
 D. E. Castillo

# CASE NO: Z2009030 CD

## Final Staff Recommendation - Zoning Commission

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**Date:** February 03, 2009

Zoning Commission continuance (Commissioner's Request)  
from January 20, 2009

**Council District:** 1

**Ferguson Map:** 582 A5

**Applicant Name:**  
Monte D and Margaret Young

**Owner Name:**  
Monte and Margaret Young

**Zoning Request:** From "R-5" Residential Single-Family District to "R-5 CD" (CD-Bakery - Retail)  
Residential Single-Family District with a Conditional Use for a Bakery - Retail..

**Property Location:** The east 50 feet of north, 150 feet of Lot 25, Block 3, NCB 8418  
723 Gardina Street  
On the north side of Gardina Street, west of West Avenue

**Proposal:** To allow for a Bakery - Retail

**Neighborhood Association:** Los Angeles Heights - Keystone Neighborhood Association

**Neighborhood Plan:** Near Northwest Community Plan

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

**Staff Recommendation:**

Denial

The subject property was annexed into the City of San Antonio in May of 1940 and totals approximately 0.1194 acres. There is an existing single-family dwelling with a detached garage on the property, which measures approximately 1,202 square feet and was constructed in 1948. The subject property is located on Gardina Street, a local access street near West Avenue. The subject property is adjacent to "C-3NA" Commercial District, Nonalcoholic Sales to the north, "C-3R" Commercial District, Nonalcoholic Sales to the east, "R-5" Residential Single-Family District to the west with "R-4" Residential Single-Family District across Gardina Street to the south. The owner is requesting a zoning change to allow the use of the detached garage for a retail bakery.

Staff finds the requested zoning to be inappropriate, as it would allow a commercial use too intense for the subject property location. An existing commercial node is located just to the east of the subject property, at the intersection of Gardina Street and West Avenue. However, the subject property is located away from this intersection, abutting and adjacent to established residential uses, on a local street. The Near Northwest Community Plan calls for Urban Low Density Residential land use for the subject property.

Should the proposed commercial use be allowed, the following conditions shall apply to the operation of nonresidential conditional uses permitted within any residential district, unless otherwise approved by the city council:

1. No exterior display or sign with the exception that a nameplate, not exceeding 3 square feet in area, may be permitted when attached to the front of the main structure.
2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.
3. Business or office hours of operations shall not be permitted before 7 a.m. or after 6 p.m.

# **CASE NO: Z2009030 CD**

## **Final Staff Recommendation - Zoning Commission**

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The conditional zoning procedure is designed to provide for a land use within an area 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 zoning classification shall not be for all of the uses permitted in a given district but shall be only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district.

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

