

# CITY OF SAN ANTONIO

## Zoning Commission Agenda

Cliff Morton Development and Business Services Center  
1901 S. Alamo Street  
Board Room

**Tuesday, December 6, 2011**  
**12:45 PM**

### ZONING COMMISSIONERS

Mariana Ornelas – District 1	Christopher Martinez – District 6
Dan Martinez – District 2	David Christian – District 7
Gerard P. Clancy – District 3	Rick McNealy – District 9
Orlando Salazar – District 4	Milton R. McFarland – District 10
Rachel Flores – District 5	Brenna Nava– District Mayor
Billy J. Tiller – District 8 Chairman	

1. **12:45 PM** - Work Session - discussion of policies and administrative procedures, and any items for consideration on the agenda for December 6, 2011.
2. **1:00 P.M.** Board Room– Call to Order.
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of November 15, 2011 Zoning Commission Minutes.
6. **ZONING CASE NUMBER Z2012004 CD (Council District 4):** A request for a change in zoning from “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District to “R-4 CD AHOD” Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Non Commercial Parking Lot on 0.257 of an acre out of NCB 9729, 1215 Rayburn Drive.
7. **ZONING CASE NUMBER Z2012010 (Council District 1):** A request for a change in zoning from “MF-33 AHOD” Multi-Family Airport Hazard Overlay District to “O-1 IDZ AHOD” Office Infill Development Zone Airport Hazard Overlay District on Lot 5, Block 11, NCB 368, 324 West Cypress Street.
8. **ZONING CASE NUMBER Z2011174 (Council District 1):** A request for a change in zoning from “C-2 AHOD” Commercial Airport Hazard Overlay District to “C-1 IDZ AHOD” Light Commercial Infill Development Zone Airport Hazard Overlay District with the additional use of Motor Vehicle Sales on Lots 29 and 30, Block 6, NCB 6541, 719 West Hildebrand Avenue.
9. **ZONING CASE NUMBER Z2012005 (Council District 1):** A request for a change in zoning from “C-1 AHOD” Light Commercial Airport Hazard Overlay District, “C-2NA AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District, “C-2 AHOD” Commercial Airport Hazard Overlay District and “O-2 AHOD” High Rise Office Airport Hazard Overlay District to “IDZ AHOD” Infill Development Zone Airport Hazard Overlay District with uses permitted in “MF-50” Multi-Family District and “C-2” Commercial District with the additional use of a laboratory testing facility on Lots 3,

4, 5, 6, 7 and 8, the west 100 feet of Lot 9 and the east 74 feet of the north 13 feet of Lot 9, Block 24, NCB 374; Lot 14, Block 33, NCB 376; and Lots 14 and 15, Block 23, NCB 377, 204, 220 and 224 West Evergreen Court; 611 and 621 Howard Street; and 1405, 1425 and 1509 North Main Avenue.

10. **ZONING CASE NUMBER Z2012006 (Council District 3):** A request for a change in zoning from “I-1 AHOD” General Industrial Airport Hazard Overlay District to “C-2 AHOD” Commercial Airport Hazard Overlay District on 4.724 acres out of Block 26 and Block 27, NCB 10146, 2920 East Southcross Boulevard and 102 Prestwick Boulevard.
11. **ZONING CASE NUMBER Z2012009 (Council District 10):** A request for a change in zoning from “PUD MF-33 AHOD” Planned Unit Development Multi-Family Airport Hazard Overlay District to “C-3 AHOD” General Commercial Airport Hazard Overlay District on 9.7137 acres out of NCB 15689, northeast of the intersection of Thousand Oaks and Nacogdoches Road abutting Uhr Lane.
12. **ZONING CASE NUMBER Z2012012 (Council District 2):** A request for a change in zoning from “I-1 EP-1” General Industrial Facility Parking/Traffic Control District to “C-1 EP-1” Light Commercial Facility Parking/Traffic Control District on Lot 17 and Lot 18 and the west 10 feet of Lot 16, NCB 6907, 2941 East Houston Street.
13. **ZONING CASE NUMBER Z2012015 (Council District 5):** A request for a change in zoning from “H IDZ AHOD RIO-4” Mission Historic Infill Development Zone Airport Hazard Overlay River Improvement Overlay District with uses permitted in “MF-40” Multi-Family District, “C-2” Commercial District with the additional uses of a Bar, Beer Garden, Microbrewery and Hotel to “H IDZ AHOD RIO-4” Mission Historic Infill Development Zone Airport Hazard Overlay River Improvement Overlay District with uses permitted in “C-2” Commercial District, Multi-Family uses at a Maximum Gross Density of 60 units/acre with the additional uses of a Bar, Beer Garden, Microbrewery and Hotel on 22.39 acres out of Lot 17, NCB A-17; Save and Except 0.804 of an acre out of Lot 17, NCB A-17, 600 Lone Star Boulevard.
14. **ZONING CASE NUMBER Z2012016 (Council District 8):** A request for a change in zoning from “C-3R” General Commercial Restrictive Alcoholic Sales District and “C-3” General Commercial District to "C-3" General Commercial District on Lots 49 and 51, NCB 14862, on portions of the 10900 Block of Fredericksburg Road.
15. **ZONING CASE NUMBER Z2012017 S (Council District 1):** A request for a change in zoning from “H R-5 AHOD” Monte Vista Historic Residential Single-Family Airport Hazard Overlay District to “H R-5 S AHOD” Monte Vista Historic Residential Single-Family Airport Hazard Overlay District with Specific Use Authorization for a School - University or College (Private) on Lots 2, 3, 5 and the west 50 feet of Lot 6, Block 2, NCB 6581 and Lot 13, Block 1, NCB 6580, 115, 119, 139, 146 Oakmont Court.
16. **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.
17. **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-2012-004 CD

Council District 4

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): Portions of NCB 09729 - Block 000 - W Irr 19.28 ft of Lot 6 & NE Tri 14.32 ft of Lot 7

### Legend

- Subject Properties ——— (0.257 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(10/24/2011 - E Hart)

**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio Development Services Department Staff Report

To: Zoning Commission  
Zoning Case #: Z2012004 CD  
Hearing Date: December 6, 2011  
Property Owner: Rose Mary and Henry Garcia  
Applicant: Jerry Arredondo  
Representative: Jerry Arredondo  
Location: 1215 Rayburn Drive  
Legal Description: A 0.257 acre tract of land out of NCB 9729  
Total Acreage: 0.257  
City Council District: 4  
Case Manager: Pedro Vega, Planner  
Case History: This is the second public hearing for this zoning request. Continuance (Commissioner's request) from November 15, 2011.

## **Proposed Zoning Change**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot

## **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 2, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on October 27, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on November 10, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

## **Notices Mailed**

**Owners of Property within 200 feet:** 16

**Neighborhood Associations:** Tierra Linda Neighborhood Association

**Planning Team Members:** 27 (Nogalitos/South Zarzamora Community Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property was annexed in September of 1944 and was originally zoned "B" Residence District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District.

**Topography:** The subject property is relatively flat and has no physical characteristics that are likely to affect the use.

## **Adjacent Zoning and Land Uses**

**Direction:** South across Rayburn Drive

**Current Base Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Current Land Uses:** Commercial Use

**Direction:** North

**Current Base Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District.

**Current Land Uses:** Single-Family Dwellings and Motor Vehicle Sales

**Direction:** West

**Current Base Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Current Land Uses:** Single-Family Dwelling

**Direction:** East

**Current Land Uses:** Interstate Highway 35

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** Rayburn Drive

**Existing Character:** Local Access Street one lane in each direction.

**Proposed Changes:** None known.

**Thoroughfare:** Interstate Highway 35

**Existing Character:** Expressway

**Proposed Changes:** None known.

**Public Transit:** The VIA number 551 bus line operate along Southwest Military Drive.

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

**Parking Information:** Minimum Parking Requirement: N/A. Maximum Parking Requirement: N/A

## **Staff Analysis and Recommendation: Approval.**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the Nogalitos/South Zarzamora Community Plan and is currently designated as "High-Density Residential". The current "High-Density Residential" land use category includes multi-family residential developments with more than four units and assisted living facilities. The base zoning is not changing; therefore a finding of consistency with the Land Use Plan is not required.

### **2. Adverse Impacts on Neighboring Lands:**

The granting of the Specific Use Authorization will not have an adverse impact on the neighborhood. Due to the presence of the Interstate Highway 35 and the movement of large volumes of vehicular traffic unlikely to be developed with the use for which it is zoned. Further, the current base zoning is not changing.

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

The property's current "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District is not appropriate as the property is not likely to be used for residential development. Further, being that the current use of the property is vacant, there will be no loss of housing stock in this neighborhood. The granting of Specific Use Authorization shall only be for the Specific Use Authorization named in the ordinance (Non-Commercial Parking Lot).

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Should the zoning change be approved, a 30-foot rear building setback, 20-foot side building setback and a Type "B" buffer of 15 feet will be required where the subject property abuts residential zoning or uses. These development standards will serve to mitigate the possible effects of increased noise and traffic on the subject property.

### **5. Public Policy:**

The Specific Use Authorization for a Non-Commercial Parking Lot does not conflict with the established Nogalitos/South Zarzamora Community Plan.

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

The 0.257 acre tract is of sufficient size to accommodate the Non-Commercial Parking Lot that will be used by the employees of the AT&T Store located at 7023 Southwest Military Drive. The size and configuration of the 0.257 acre tract would render it difficult to achieve an integrated development. The applicant has submitted a site plan in order to comply with the Specific Use Authorization requirements.

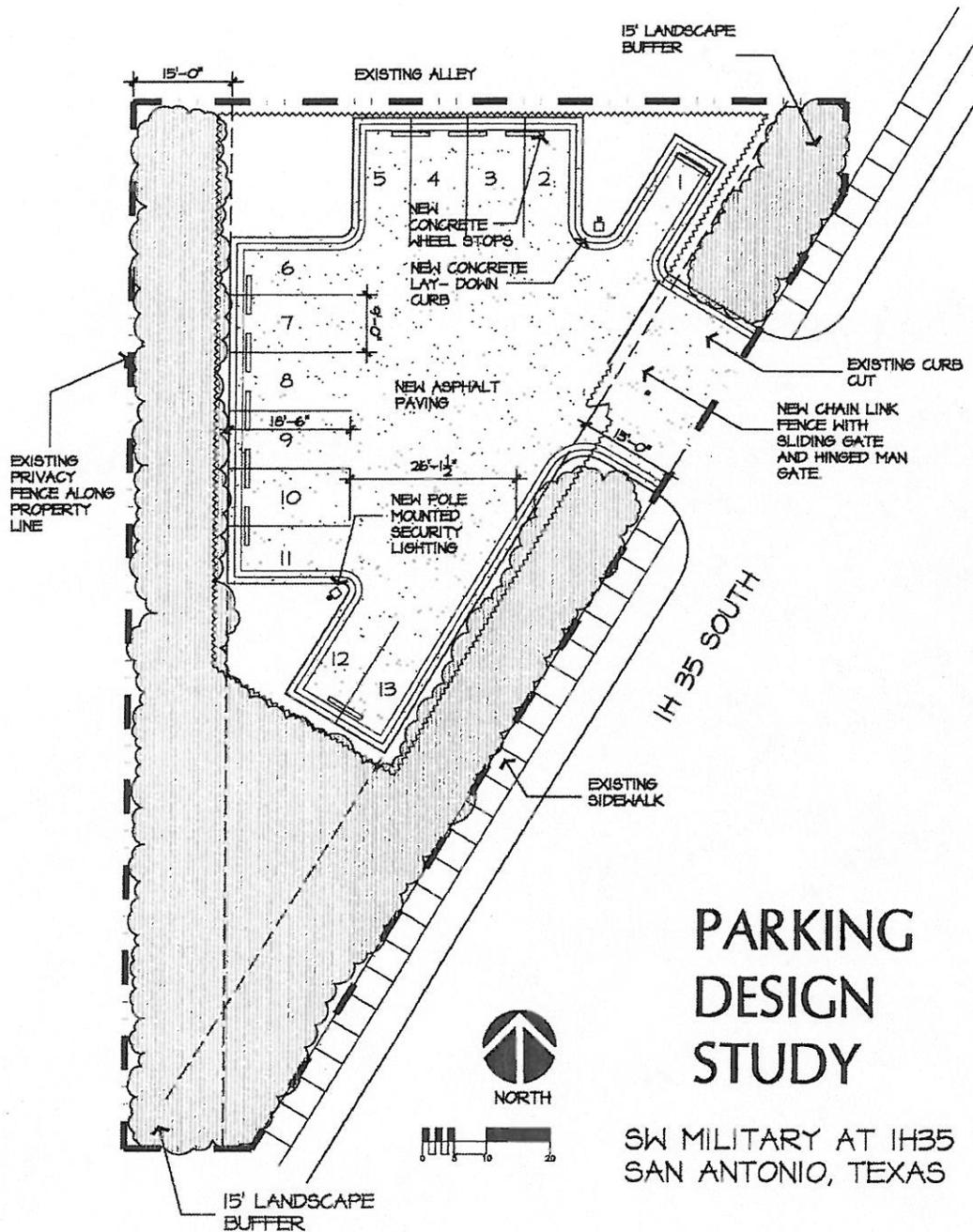
### **7. Other Factors:**

The only access to the property is from the frontage road of the Interstate Highway 35 which includes some heavy vehicular traffic from the exit ramp approaching Southwest Military Drive. Given the close proximity to the intersection of two major thoroughfares and commercial property across the street, a Non-Commercial Parking Lot would be appropriate and may be the most reasonable use for this location.

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.

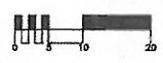
Per Section 35-422 of the Unified Development Code, the following condition applies to all conditional use requests in residential zoning districts:

- A. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.



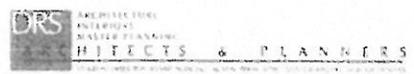
# PARKING DESIGN STUDY

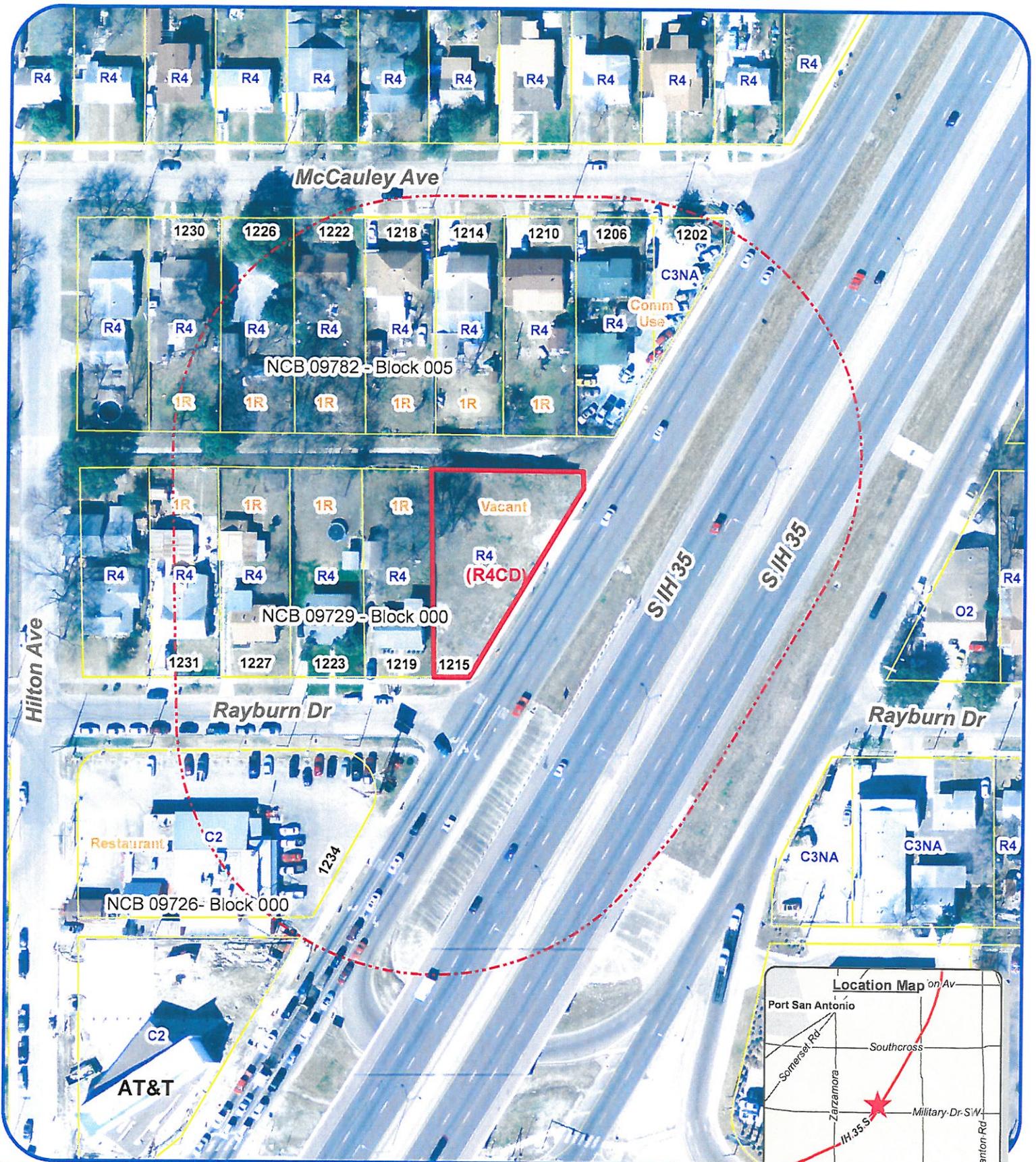
SW MILITARY AT IH35  
SAN ANTONIO, TEXAS



We, Henry and Rose Mary Garcia (property owners), acknowledge that the site plan submitted for the purposed of re-zoning the property in accordance with all applicable sections of the Unified Development Code. Additionally, I understand that City Council approval of the site plan in conjunction with this re-zoning case does not relieve us from complying with any City-Adopted Codes at the time of plan submittal for a building permit.

08/22/11





## Zoning Case Notification Plan

### Case Z-2012-004

Council District 4

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): Portions of NCB 09729 - Block 000 - W Irr 19.28 ft of Lot 6 & NE Tri 14.32 ft of Lot 7

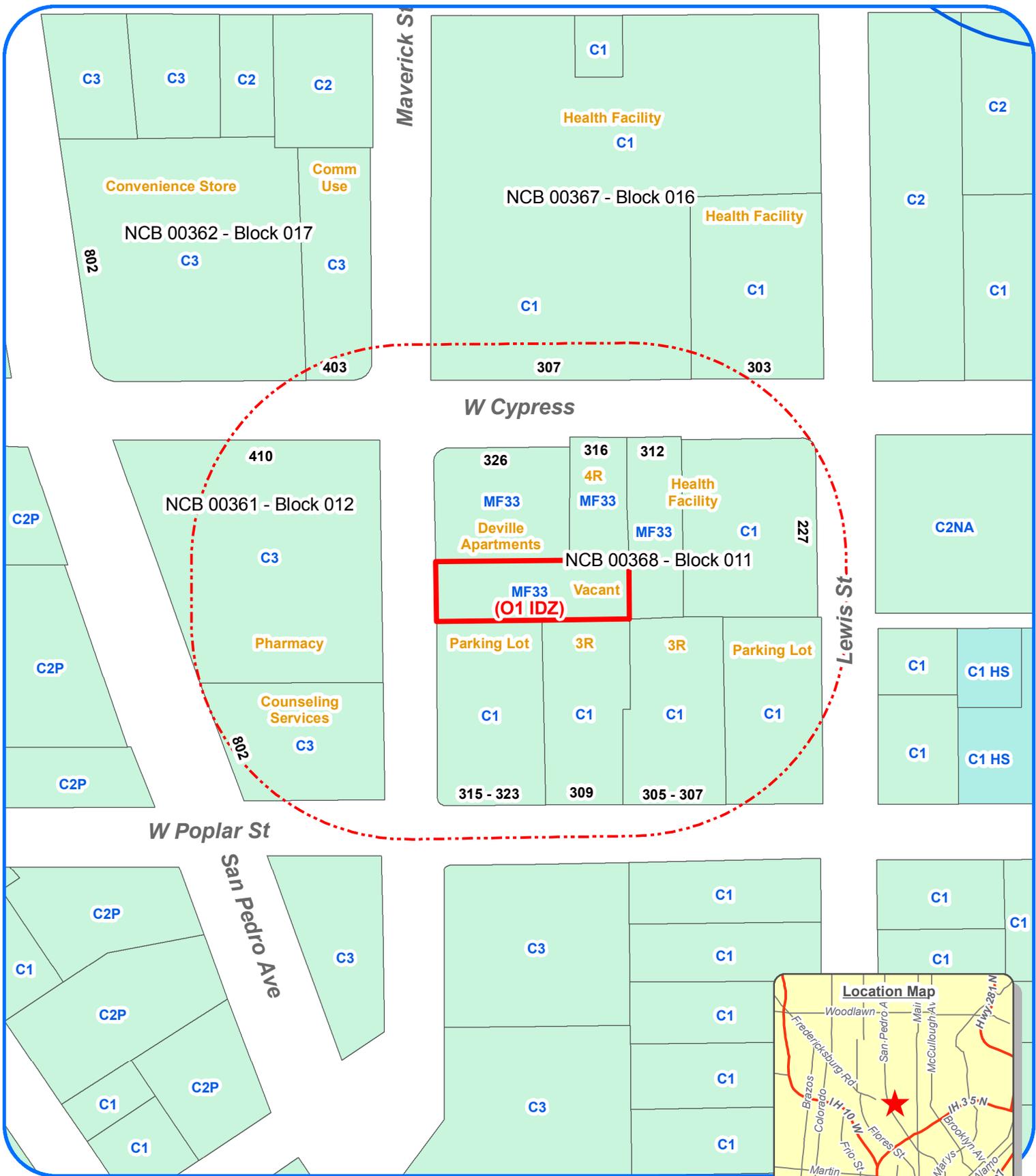
#### Legend

- Subject Properties (0.257 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(10/24/2011 - E Hart)

**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**



# Zoning Case Notification Plan

## Case Z-2012-010

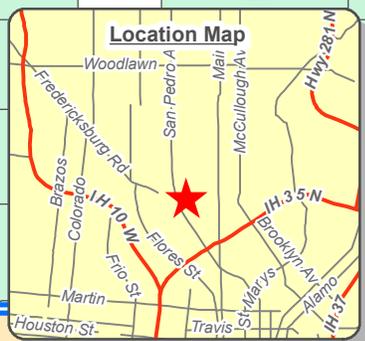
Council District 1

Scale: 1" approx. = 120 ft.

Subject Property Legal Description(s): NCB 00368 - Block 011 - Lot 5

### Legend

- Subject Properties (0.22 Acres) █
- 200' Notification Area - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(10/27/2011 - E Hart)

**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2012010

Hearing Date: December 6, 2011

Property Owner: Specia Partnership, Ltd. (Michael Specia)

Applicant: Patrick Specia

Representative: John Specia

Location: 324 West Cypress Street

Legal Description: Lot 5, Block 11, NCB 368

Total Acreage: 0.22 of an acre

City Council District: 1

Case Manager: Micah Diaz, Interim Senior Planner

Case History: This is the second public hearing for this zoning request. The case was continued from the November 15, 2011 meeting.

### **Proposed Zoning Change**

**Current Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**Requested Zoning:** "O-1 IDZ AHOD" Office Infill Development Zone Airport Hazard Overlay District

### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on October 28, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 3, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on November 10, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### **Notices Mailed**

**Owners of Property within 200 feet:** 14

**Neighborhood Associations:** Tobin Hill Community Association

**Planning Team Members:** 12 – Tobin Hill Neighborhood Plan

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property is located within the city limits as they were recognized in 1938, and was originally zoned "E" Office District. In a 1995 case, the property was rezoned to "R-3" Multi-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the

current "MF-33" Multi-Family District. The property is undeveloped. Although addressed as West Cypress, the subject property has street frontage on Maverick Street only.

**Topography:** The property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "MF-33" Multi-Family District, "C-1" Light Commercial District, and "C-3" General Commercial District

**Current Land Uses:** Apartments, medical clinics, office, and a gas station

**Direction:** East

**Current Base Zoning:** "MF-33" and "C-1"

**Current Land Uses:** Medical facility and parking lot

**Direction:** South

**Current Base Zoning:** "C-1"

**Current Land Uses:** Parking lots and three-unit dwellings

**Direction:** West

**Current Base Zoning:** "C-3"

**Current Land Uses:** Pharmacy and counseling service offices

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** West Cypress

**Existing Character:** Secondary Arterial Type B; two lanes in each direction

**Proposed Changes:** None known

**Thoroughfare:** Maverick Street, West Poplar Street, and Lewis Street

**Existing Character:** Local streets; one lane in each direction with partial sidewalks

**Proposed Changes:** None known

**Thoroughfare:** San Pedro Avenue

**Existing Character:** Primary Arterial Type A; two lanes in each direction with a center turn lane and sidewalks

**Proposed Changes:** None known

**Public Transit:** Multiple VIA bus lines operate along San Pedro Avenue, and line 289 operates along West Cypress. There are three bus stops within 400 feet of the subject property.

**Traffic Impact:** A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

**Parking Information:** Off-street vehicle parking requirements are determined by Gross Floor Area (GFA) of the office structure.

Minimum: 1 parking space per 300 square feet GFA

Maximum: 1 parking space per 140 square feet of GFA

As indicated on the TIA worksheet, the proposed office building will be approximately 2,500 square feet in size, which would typically require 8.33 parking spaces. However, the "IDZ" Infill Development Zone District eliminates off-street parking requirements.

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the Tobin Hill Neighborhood Plan and is designated as “High Density Mixed Use” in the future land use component of the plan. The zoning request is consistent with the adopted future land use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The subject property has long been undeveloped. The “IDZ” zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. The subject property is the only parcel on the block that remains undeveloped.

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

The existing multi-family zoning is not inappropriate for the subject property. There are other lots on the block that have been developed as apartments or single-family residences that have been subdivided into multiple units. However, new multi-family development on the subject property is unlikely due to its small size, location near two major commercial corridors, and the surrounding pattern of development which includes many office, retail and parking lot uses.

### **4. Health, Safety and Welfare:**

Staff has found no evidence that approval of the zoning change request will adversely affect the health, safety or welfare of the general public. The proposed development will benefit the area by ridding the block of a vacant lot that may be used for loitering and illegal dumping.

### **5. Public Policy:**

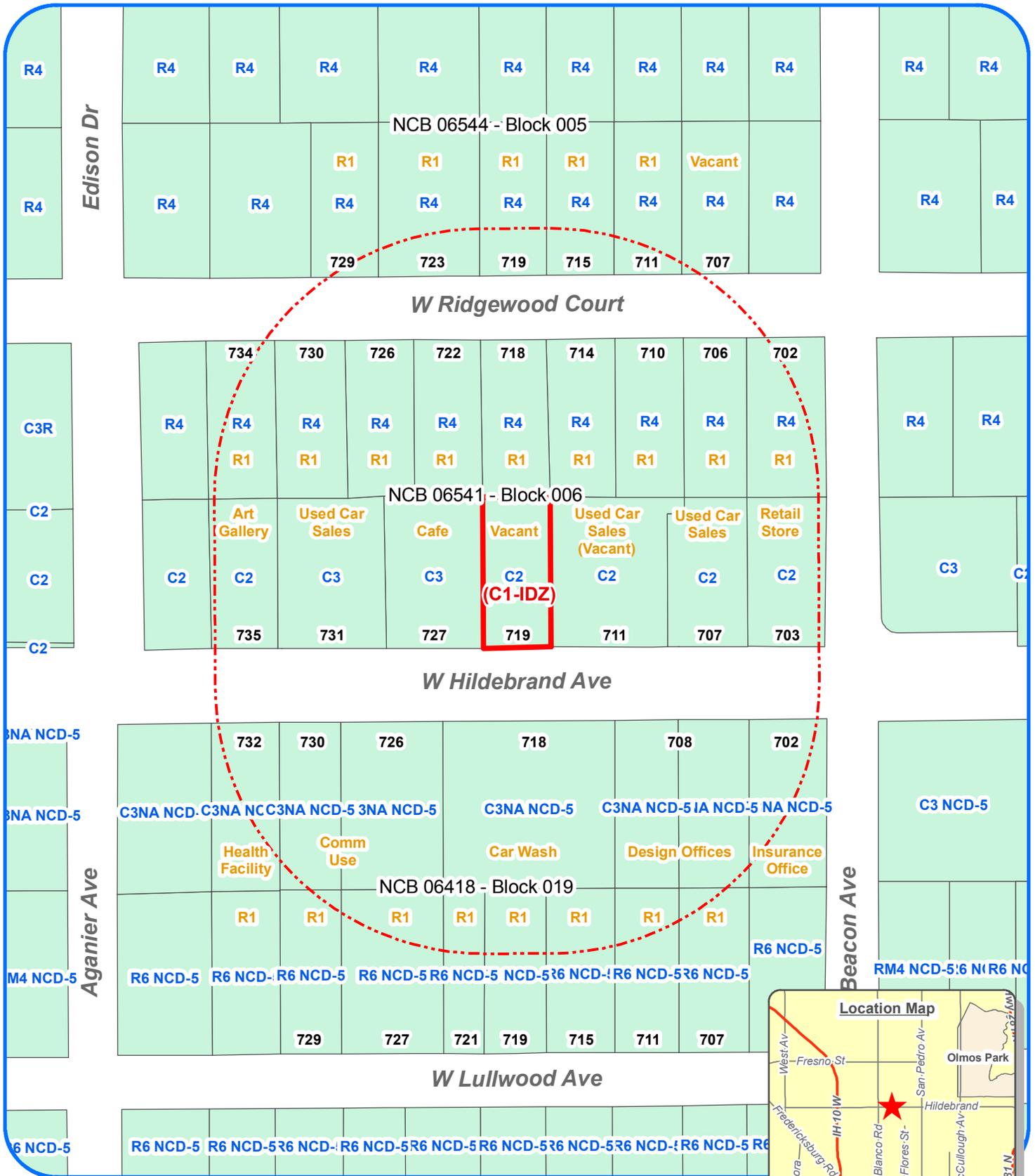
The subject property is located in an area identified as the Crockett Park District within the Tobin Hill Neighborhood Plan area. For this area, the plan promotes a mix of uses with a concentration of office, service, and neighborhood commercial uses along with medical activities.

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

The subject property is approximately 9,580 square feet in size. Although the “IDZ” district eliminates off-street parking requirements, the property is of sufficient size to accommodate the proposed 2,500 square foot structure with the normally required number of parking spaces in the rear yard due in part to the relaxed building setback and landscape buffer requirements.

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

The “IDZ” district includes design standards that are meant to ensure new development occurs in scale and character with that of the surrounding block.



## Zoning Case Notification Plan

### Case Z-2011-174

Council District 1

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): NCB 06541 - Block 006 - Lots 29 and 30

#### Legend

- Subject Properties (0.132 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(08/22/2011 - E Hart)

**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2011174

Hearing Date: December 6, 2011

Property Owner: Martha G. Valdez

Applicant: Alejandro R. Gomez, P.E., C.F.M.

Representative: Alejandro R. Gomez, P.E., C.F.M.

Location: 719 West Hildebrand Avenue

Legal Description: Lots 29 and 30, Block 6, NCB 6541

Total Acreage: 0.132

City Council District: 1

Case Manager: Andreina Dávila-Quintero, Planner

Case History: This is the first public hearing for this zoning case. The applicant originally submitted a request to rezone the property to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a conditional use for Motor Vehicles Sales on July 20, 2011. Due to discrepancies found in the Site Plan, the applicant requested the case be postponed on August 22, 2011. On November 4, 2011, the applicant submitted a request to amend the rezoning request and for the case to be scheduled for the December 6, 2011 Zoning Commission Public Hearing.

### Proposed Zoning Change

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-1 IDZ AHOD" Light Commercial Infill Development Zone Airport Hazard Overlay District with the additional use for Motor Vehicle Sales.

### Procedural Requirements

The request was publicly noticed in accordance with Section 35-403 of the Unified Development Code ("UDC"). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on November 17, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 21, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on December 2, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 36

**Neighborhood Associations:** Edison Neighborhood Association. The Beacon Hill Neighborhood Association is located within two hundred (200) feet of the subject property.

**Planning Team Members:** 50 – North Central Planning Team

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property comprises of Lots 29 and 30, Block 6, of the Blanco Terrace Subdivision that was recorded on August 17, 1923 (Volume 642, Page 113, Deeds and Plat Records, Bexar County, Texas). It is located within the city limits as they were recognized in 1938, and was originally zoned “F” Local Retail District. Upon the adoption of the 2001 UDC, the previous base zoning district was converted to the current “C-2” Commercial District.

There was a single-family residential structure on the subject property that was demolished in 2008. No demolition permit was obtained. Currently, the subject property consists of an approximately 336-square foot structure that is vacant. The structure was built in 2009 (according to the Bexar County Appraisal District) without first obtaining the approval of the City. The structure is in violation of the minimum setback requirements of the “C-2” Commercial District established in Table 310-1 of the UDC.

On September 2, 2011, the applicant submitted a request to the Board of Adjustment for a 25-foot variance from the 30-foot minimum rear setback requirement of the “C-2” Commercial District when abutting a residential use or zoning district, in order to keep the building at its current location. The Board of Adjustment denied the request on October 3, 2011, by unanimous vote as the request did not meet the six (6) approval criteria for granting a variance established in Section 35-482(e) of the UDC.

**Topography:** The subject properties do not include any abnormal physical features such as significant slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “R-4” Residential Single-Family District

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

**Direction:** South

**Current Base Zoning:** “C-3NA” General Commercial Nonalcoholic Sales District

**Current Land Uses:** Carwash. Office and service uses [within two hundred (200) feet]

**Direction:** East

**Current Base Zoning:** “C-2” Commercial District

**Current Land Uses:** Motor Vehicle Sales (Vacant). Motor Vehicle Sales and retail [within two hundred (200) feet]

**Direction:** West

**Current Base Zoning:** “C-3” General Commercial District

**Current Land Uses:** Restaurant. Motor vehicle sales and art gallery [within two hundred (200) feet]

**Overlay and Special District Information:** All surrounding properties carry the “AHOD” Airport Hazard Overlay District due to their proximity to an airport or approach path. The “AHOD” Airport Hazard Overlay District does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration (“FAA”). The properties to the south are located within the Beacon Hill Neighborhood Conservation District that was adopted by City Council on December 15, 2005, due to the distinctive character-defining features of the area.

## **Transportation**

**Thoroughfare:** West Hildebrand Avenue

**Existing Character:** Secondary Arterial Type B, four (4) lanes each way

**Proposed Changes:** None known

**Public Transit:** VIA bus line 509 operates along West Hildebrand Avenue in front of the subject property with bus stops located at the intersections of West Hildebrand Avenue and Aganier Avenue, and Beacon Avenue. This bus line runs from the Crossroads Park and Ride Facility to the Randolph Park and Ride Facility.

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

**Parking Information:** Pursuant to Table 526-3a of the UDC, Motor Vehicle Sales require a minimum of one (1) parking space for every five hundred (500) square feet of the gross floor area of sales and service building. For the proposed use, a minimum of one (1) parking space is required on site. However, According to Section 35-343(k) of the UDC, the minimum parking requirements of the parking standards are not applicable to properties within the “IDZ” Infill Development Zone. In the event that this rezoning request is approved, no parking spaces will be required on the subject property.

## **Staff Analysis and Recommendation: Denial.**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the North Central Community Plan that was adopted by City Council in 2002. According to the North Central Community Plan, the subject property has a Land Use classification of Neighborhood Commercial. This classification provides small areas for offices, professional services, service and shopfront retail uses that can be served by pedestrian access. Additionally, it permits a limited group of commercial uses that serve the neighborhood while protecting the abutting residential areas. The proposed “C-1” Light Commercial base zoning district accommodates neighborhood commercial uses, and is considered an appropriate buffer between residential uses and uses allowed in the “C-2” Commercial and “C-3” General Commercial base zoning districts. Thus, the “C-1” Light Commercial base zoning district is consistent with the Community Plan. However, the proposed Motor Vehicle Sales is a use of much higher intensity that is more appropriately situated in areas intended for regional commercial development. Consequently, this use is inconsistent with the North Central Community Plan.

### **2. Adverse Impacts on Neighboring Lands:**

The adjacent properties to the south, east and west have similar or more intense zoning districts, and thus the requested rezoning will have no adverse impact on these properties. However, the properties immediately to the north have single-family residential uses. The proposed “C-1” Light Commercial District will serve as a buffer between these residential uses and the more intense commercial uses located on the south side of West Hildebrand Avenue. To the contrary, the proposed Motor Vehicle Sales will have an adverse impact on the adjacent properties to the north due to its incompatibility with the less intense single-family residential uses. While staff recognizes that other Motor Vehicle Sales uses exist on the same block, the increase of this use will have a detrimental impact on the single-family residential uses located within the area. In particular, with the “IDZ” Infill Development Zone overlay district, the proposed Motor Vehicle Sales will be allowed on the subject property with no setback or landscape buffer restrictions, thus eliminating the separation and bufferyards required to protect the single-family residential uses from the more intense commercial uses. In this case, it is staff’s opinion that the requested rezoning with the additional use of Motor Vehicle Sales will have an adverse impact on the adjacent properties, and is therefore considered inappropriate for the subject property.

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

The current “C-2” Commercial base zoning district on the property resulted from the conversion of the 1938 “F” Local Retail District. The “C-2” Commercial zoning district accommodates commercial and retail uses that are more intensive in character than neighborhood or light commercial, and which generate a greater volume of vehicular or truck traffic. According to the North Central Community Plan, neighborhood commercial uses are recommended and best suited for this area. Therefore, the existing zoning district is no longer suitable for the subject property and area.

#### **4. Health, Safety and Welfare:**

Staff has found no evidence that a substantial public need exists for the proposed rezoning. This rezoning is requested to allow Motor Vehicle Sales on the subject property in the present conditions. However, due to the surrounding land uses and recommended development for the area, the requested rezoning, if approved, will allow the proposed intense commercial use on the subject property increasing traffic and noise in the area.

#### **5. Public Policy:**

As previously mentioned, the proposed “C-1” Light Commercial base zoning district is compatible with the recommended development for the area, which was adopted by City Council in 2002. However, the proposed development is not compatible with the Statement of Purpose of the “IDZ” Infill Development Zone as stated in Section 35-343 of the UDC, or the recommended development for the area that was adopted in 2002. The “IDZ” Infill Development Zone was created to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. The applicant is requesting the “IDZ” Infill Development Zone for the sole purpose of allowing the existing structure to remain where it was built, which currently is in violation of the minimum development standards of the UDC. Thus, it is staff’s opinion that the requested rezoning does not meet the intent of the “IDZ” Infill Development Zone, or the City’s policy of protecting residential uses from the more intense commercial uses.

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

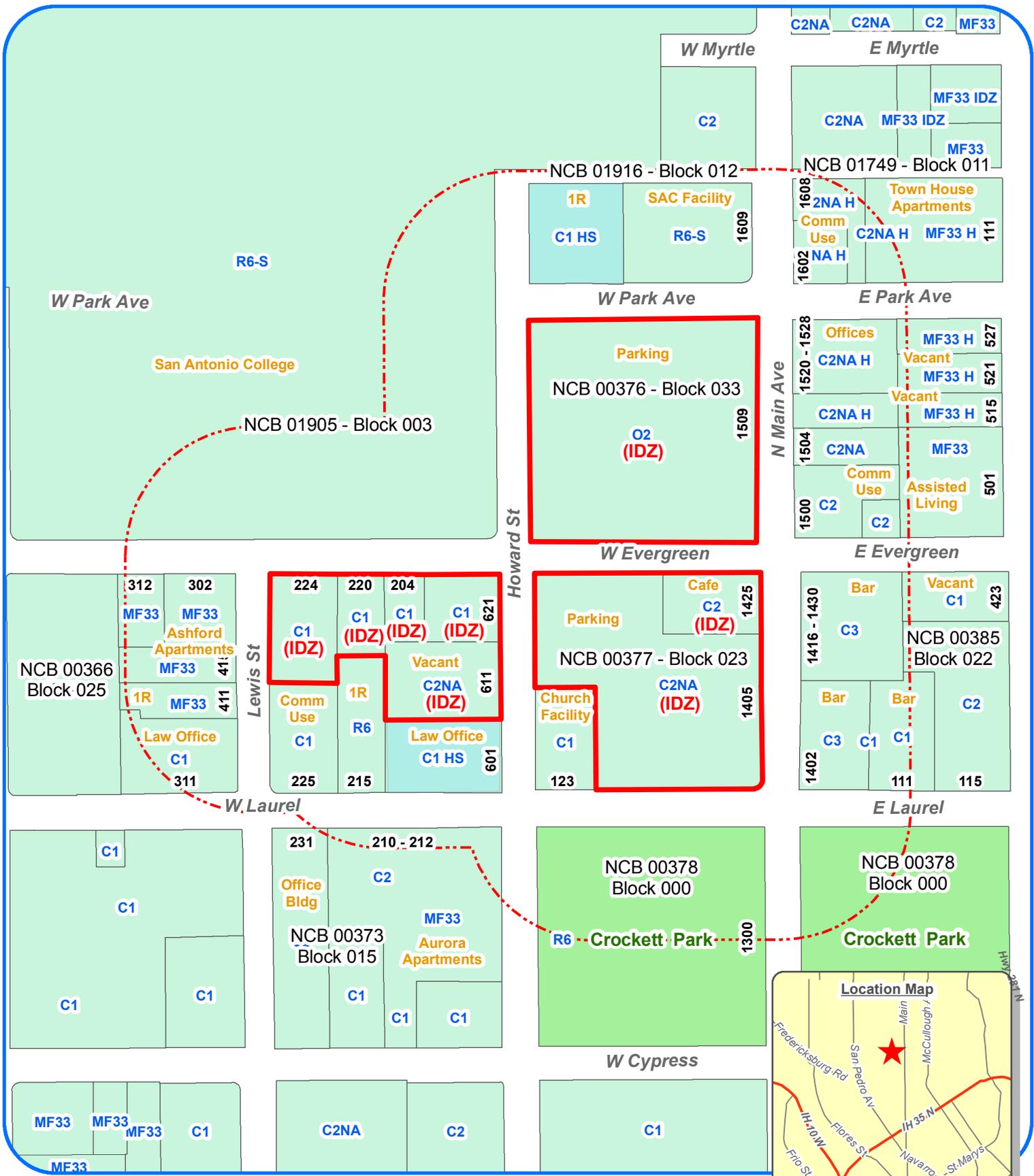
The subject property comprises of a total area of approximately 0.13 acres, which is adequate size for the existing and proposed zoning districts. Additionally, the subject property complies with the 50-foot minimum lot street frontage and width requirements of the “C-1” Light Commercial, and the 20-foot minimum lot street frontage requirement of the “C-2” Commercial base zoning districts as established by the UDC. It should also be noted that the purpose of the “IDZ” Infill Development Zone is to provide flexible standards for the development and reuse of underutilized parcels. The subject property is not considered an underutilized parcel as it complies with the minimum lot dimension standards required by the UDC. In addition, the proposed motor vehicle sales and other uses may be developed on the subject property in compliance with the minimum development standards of the UDC without the use of the “IDZ” Infill Development Zone.

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

Pursuant to Section 34-343 of the UDC, Urban design standards within the “IDZ” Infill Development Zone are required in order to maintain a neighborhood commercial scale, promote pedestrian activity, and maintain the unique character of the center. Any use may be permitted within an “IDZ” Infill Development Zone so long as it complies with the “IDZ” Infill Development Zone standards. According to Section 35-343(m) of the UDC, “any new building shall be compatible in massing to buildings on abutting lots and abutting block faces... A building or site plan shall be considered to be compatible in massing to buildings on abutting lots and adjacent block faces, or uses if at least two (2) of the following elements are provided: setbacks and spacing between buildings, proportion of windows, bays and doorways, proportion of primary façade, location and treatment of entryway, and building scale.”

As the existing structure on the property was built without first obtaining the approval from the City, and in the event that this rezoning request is approved, the applicant will need to demonstrate compliance with these standards during the Building Permit review process. Nonetheless, based on a preliminary review of the submitted Site Plan, it appears that the applicant will need to make some modifications to the building and site to comply with these standards, to include the possible relocation of the building. The 336-square foot building only comprises approximately six percent (6%) of the total lot area. The buildings on the properties to the east and west have a much lesser setback [approximately twenty-seven (27) feet and fifty (50) feet, respectively] than the proposed front setback (approximately ninety-six (96) feet).

It should also be noted that the properties to the south of the subject property are within the Midtown Neighborhood Plan that was adopted by City Council in 2000. According to this neighborhood plan, the properties to the south have a Mixed-Use Land Use designation, which allows for a mix of land uses such as Neighborhood Commercial, Medium-Density Residential, and High-Density Residential. This is consistent with the recommended Neighborhood Commercial uses of the North Central Community Plan along the north side of West Hildebrand Avenue. Therefore, the requested rezoning with the additional use of Motor Vehicle Sales is inconsistent with the recommended future development along West Hildebrand Avenue.



## Zoning Case Notification Plan

# Case Z-2012-005

Council District 1

Scale: 1" approx. = 200 ft.

Subject Property Legal Description(s): NCB 00374 - Block 024 - Lots 3 thru 9; NCB 00376 - Block 033 - Lot 14; and NCB 00377 - Block 023 - Lots 14 and 15

### Legend

Subject Properties  (6.3924 Acres)

200' Notification Area

Current Zoning **TEXT**

Requested Zoning Change **TEXT (TEXT)**

100-Year DFIRM Floodplain

Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(10/26/2011 - E Hart)



**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2012005

Hearing Date: December 6, 2011

Property Owner: Braverman Family Limited Partnership, Alamo Community College District & Suhrer Properties, L. P.

Applicant: Debra Guerrero

Representative: Robert J. Perez

Location: 204, 220 and 224 West Evergreen Court; 611 and 621 Howard Street; and 1405, 1425 and 1509 North Main Avenue

Legal Description: Lots 3, 4, 5, 6, 7 and 8, the west 100 feet of Lot 9 and the east 74 feet of the north 13 feet of Lot 9, Block 24, NCB 374; Lot 14, Block 33, NCB 376; and Lots 14 and 15, Block 23, NCB 377

Total Acreage: 6.3924 acres

City Council District: 1

Case Manager: Micah Diaz, Interim Senior Planner

Case History: This is the first public hearing for this zoning case.

### Proposed Zoning Change

**Current Zoning:** "C-1 AHOD" Light Commercial Airport Hazard Overlay District, "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District and "O-2 AHOD" High Rise Office Airport Hazard Overlay District

**Requested Zoning:** "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-50" Multi-Family District and "C-2" Commercial District with the additional use of a laboratory testing facility

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on November 18, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 17, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on December 2, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 40

**Neighborhood Associations:** Tobin Hill Community Association

**Planning Team Members:** 12 – Tobin Hill Neighborhood Plan

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is comprised of eight lots located on three blocks at the northeast, southeast and southwest corners of West Evergreen and Howard Street. The properties are located within the city limits as they were recognized in 1938, and were originally zoned under the 1938 zoning code. The original zoning included a mix of apartment, office and retail zoning districts. In a 1995 case, the property located at 1509 N Main Street was rezoned to "O-1" Office District. In a separate 1995 City-initiated case, the other subject properties were rezoned to a mix of "B-1" Business District, "B-2NA" Business Nonalcoholic Sales District and "B-2" Business District. Upon the adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "O-2" Office District, "C-1" Light Commercial District, "C-2NA" Commercial Nonalcoholic Sales District and "C-2" Commercial District, respectively. The properties located within the 1400 and 1500 block of North Main Street were platted in multiple phases from 1995 to 2009 (volume 9531, page 16; volume 9583, page 94; and volume 9604, page 152). The properties located in the 200 block of West Evergreen and the 600 block of Howard Street are not platted. Much of the subject property area is used as surface parking for San Antonio College. Of the properties not used as parking, current uses include a restaurant (measuring 2,761 square feet; built in 1960 with expansion in 2008), container storage (screened from view, constructed in 2008), an eye clinic (measuring 4,029 square feet; built in 1975), and one undeveloped parcel. The requested rezoning is meant to accommodate a large parking structure along with a mixed use development including multi-family, office, service, retail, and institutional uses.

**Topography:** The property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North and west

**Current Base Zoning:** "R-6 S", "C-1" and "MF-33"

**Current Land Uses:** San Antonio College campus, single-family residences, apartments, and a law office

**Direction:** South

**Current Base Zoning:** "R-6", "MF-33", "C-1" and "C-2"

**Current Land Uses:** Offices, single and multi-family residences, church facility, Crockett Park

**Direction:** East

**Current Base Zoning:** "MF-33", "C-1", "C-2NA", "C-2" and "C-3"

**Current Land Uses:** Apartments, assisted living facilities, offices, retail uses, bars and vacant parcels

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

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

## **Transportation**

**Thoroughfare:** North Main Avenue

**Existing Character:** Minor arterial; two lanes in each direction with sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Park Avenue, Evergreen, Laurel, Howard Street, and Lewis Street

**Existing Character:** Local streets; one lane in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** VIA bus line 90 operates along Main Avenue with one stop immediately adjacent to the subject property. Multiple other bus lines operate in the area, along San Pedro Avenue, McCullough Avenue and Cypress Street.

**Traffic Impact:** A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

**Parking Information:** Off-street vehicle parking requirements are determined by number of residential units, and by use and building size for retail and office uses. Staff is unable to calculate likely parking requirements for the proposed mix of uses. "IDZ" Infill Development Zone requests are exempt from off-street vehicle parking requirements; however, the proposed development includes a parking structure.

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject properties are located within the Tobin Hill Neighborhood Plan. The portion of the subject property located at 1509 Main Avenue is designated as "Public Institutional" in the future land use component of the plan. The remaining two areas of the subject property are designated as "High Density Mixed Use". Planning and Community Development Department staff has determined that the zoning request is consistent with the future land use plan.

### **2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The increase in residential use offered by the requested zoning could break the existing pattern of nightclub and office uses, which would contribute to revitalization of the North Main Avenue corridor.

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

Given the current configuration of the subject properties, the existing zoning is appropriate. However, the existing mix of zoning districts does not support cohesive development. The "IDZ" district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

### **4. Health, Safety and Welfare:**

Staff has found no evidence that approval of the zoning change request will adversely affect the health, safety or welfare of the general public.

### **5. Public Policy:**

Within the Tobin Hill Neighborhood Plan area, the subject properties are located within the Crockett Park District and the San Antonio College area, which are sub-areas identified in the plan. The plan includes individualized guidelines for future development of each sub-area. For the San Antonio College area, the plan encourages vertical, multi-level development of new parking and other campus facilities. For the Crockett Park District, the plan promotes mixed-use infill development.

The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

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

The subject properties are of sufficient size to accommodate the proposed mixed-use development and parking structure.

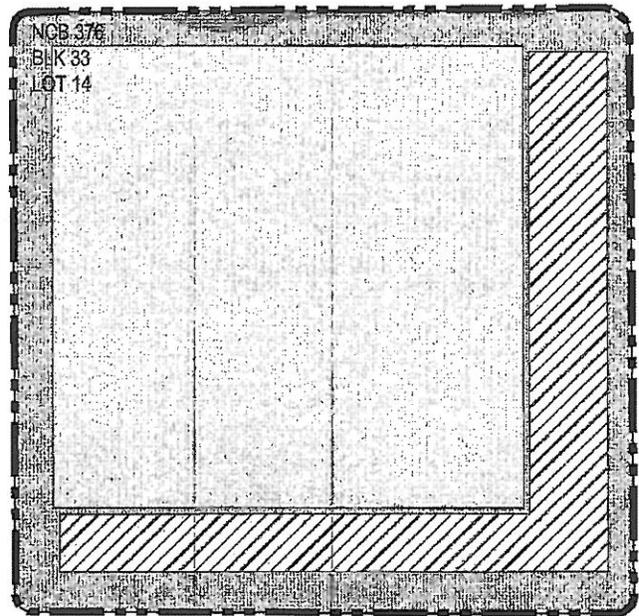
### **7. Other Factors:**

As indicated on the requisite site plan, the development includes a large parking structure. Although the proposed development will replace a significant amount of surface parking currently used by the college, the parking structure can accommodate parking for the school, proposed residences, and commercial uses.

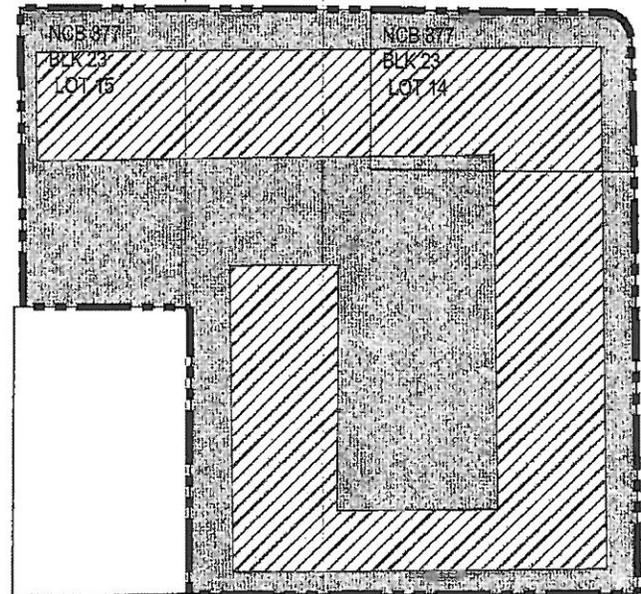
-  PARCELS TO BE ZONED IDZ
-  PARKING GARAGE
-  MIXED-USE, TO INCLUDE:
  - MULTI-FAMILY RESIDENTIAL
  - RETAIL
  - SERVICE
  - OFFICE
  - INSTITUTIONAL
  - LABORATORY TESTING



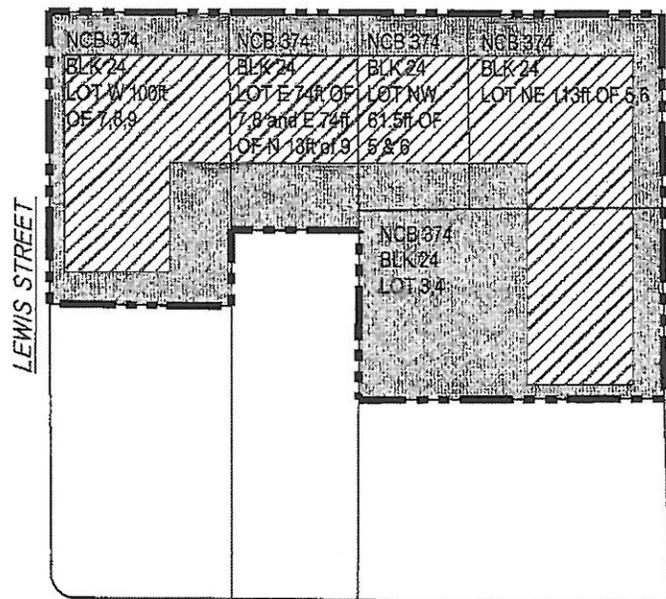
*W PARK AVENUE*



*W EVERGREEN*



*W LAUREL STREET*

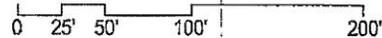


*HOWARD STREET*

*N MAIN AVENUE*

# ZONING SITE PLAN - TOBIN HILL MIXED-USE

SCALE: 1" = 100'





# Zoning Case Notification Plan

## Case Z-2012-006

Council District 3

Scale: 1" approx. = 200 ft.

Subject Property Legal Description(s): NCB 10146 - Block 26 - W Irr 381.41 ft of Block and NCB 10146 - Block 027 - Lot 1

### Legend

- Subject Properties ——— (4.724 Acres)
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(10/25/2011 - E Hart)

**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2012006

Hearing Date: December 6, 2011

Property Owner: Hector and Argelia Castrellon

Applicant: Hector and Argelia Castrellon

Representative: Patrick W. Christensen, P. C.

Location: 2920 East Southcross Boulevard and 102 Prestwick Boulevard

Legal Description: 4.724 acres out of Block 26 and Block 27, NCB 10146

Total Acreage: 4.724

City Council District: 3

Case Manager: Pedro Vega, Planner

Case History: This is the first public hearing for this zoning request. This case was previously delayed due to a notification error; therefore, it is being expedited to City Council on December 15, 2011.

### Proposed Zoning Change

**Current Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Requested Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 2, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on October 27, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on November 10, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 35

**Neighborhood Associations:** Highland Hills Neighborhood Association

**Planning Team Members:** 37 (Highlands Community Plan)

**Applicable Agencies:** None

### Property Details

**Property History:** The subject property was annexed in October of 1950 and was originally zoned Historic "J" Commercial District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "I-1 AHOD" General Industrial Mixed Airport Hazard Overlay District.

**Topography:** The subject property is relatively flat and has no physical characteristics that are likely to affect the development and use.

## **Adjacent Zoning and Land Uses**

**Direction:** South

**Current Base Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District and "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District.

**Current Land Uses:** Vacant Commercial Building and Single-Family Dwellings

**Direction:** East

**Current Base Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**Current Land Uses:** Single-Family Dwellings

**Direction:** North across East Southcross Boulevard

**Current Base Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Current Land Uses:** Commercial Uses

**Direction:** West across Clark Avenue

**Current Base Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District

**Current Land Uses:** Commercial Uses

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** East Southcross Boulevard

**Existing Character:** Secondary Arterial two lanes in each direction.

**Proposed Changes:** None known.

**Thoroughfare:** Clark Avenue

**Existing Character:** Secondary Arterial one lane in each direction.

**Proposed Changes:** None known.

**Public Transit:** The VIA number 515 bus line operate along East Southcross Boulevard.

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

**Parking Information:** Minimum Parking Requirement: 1 per 300 sf GFA. Maximum Parking Requirement: 1 per 200 sf GFA.

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the Highlands Community Plan and is currently designated as "Regional Commercial" which includes land uses that draw their customer base from a larger region thus bringing more traffic and parking needs (Shopping malls, large hotels, large home improvement centers, automobile repair shops, automobile sales, "big box" retailers. Therefore, the "C-2 AHOD" Commercial Airport Hazard Overlay District is consistent with the plan.

## **2. Adverse Impacts on Neighboring Lands:**

The "C-2 AHOD" Commercial Airport Hazard Overlay District is a downzoning from the current "I-1 AHOD" General Industrial Airport Hazard Overlay District. The granting of the zoning request will not have an adverse impact on the neighborhood.

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

The "I-1" district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines.

The current "I-1 AHOD" General Industrial Airport Hazard Overlay District is not appropriate for the area. The "C-2 AHOD" Commercial Airport Hazard Overlay District will provide an opportunity for a new development and will be consistent with current uses along East Southcross Boulevard.

## **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The rezoning request to "C-2 AHOD" Commercial Airport Hazard Overlay District is a less intense use than the existing "I-1 AHOD" General Industrial Airport Hazard Overlay District.

## **5. Public Policy:**

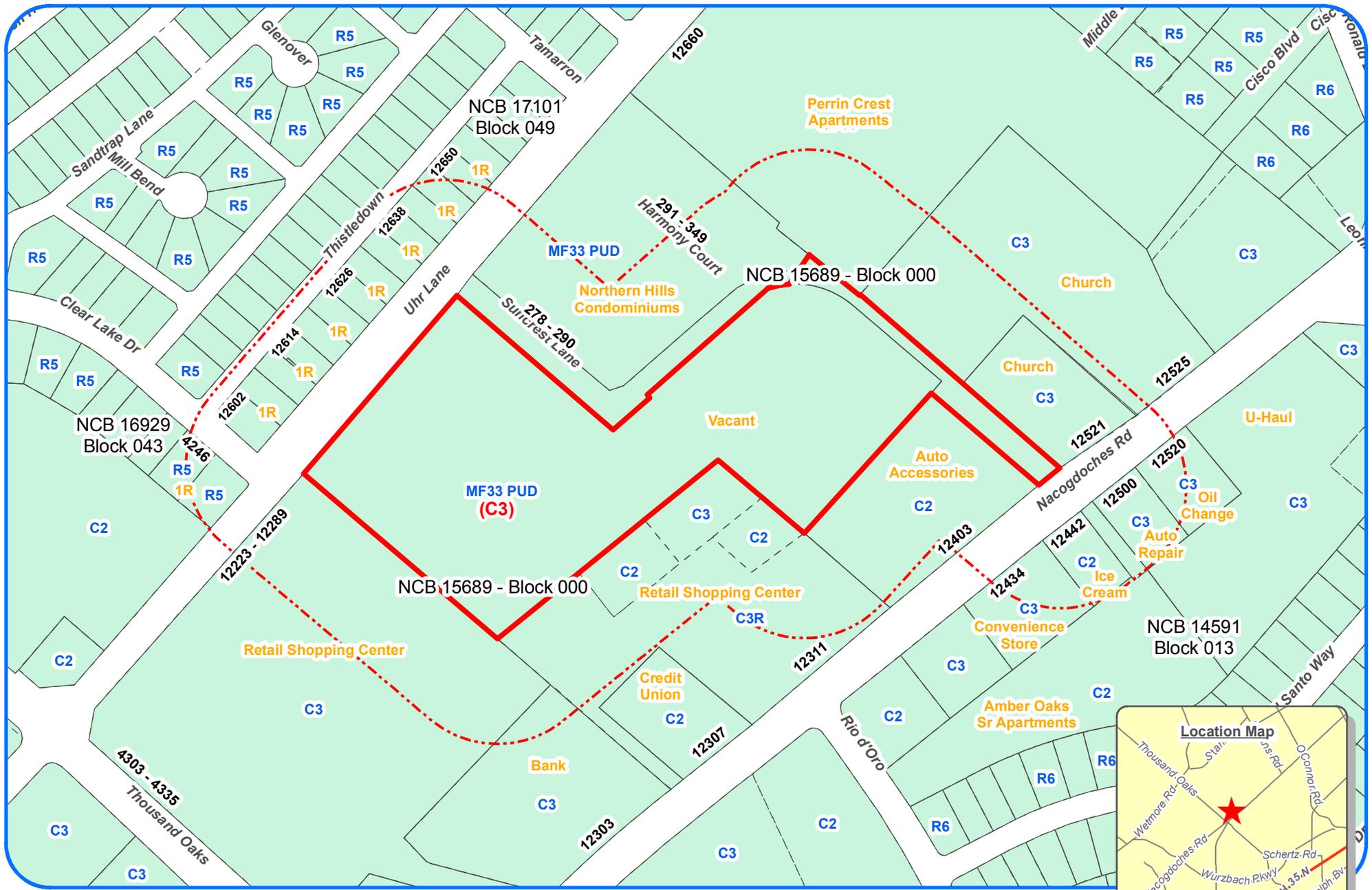
The "C-2 AHOD" Commercial Airport Hazard Overlay District is in accordance with the City's Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth. Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410.

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

The property is of sufficient size to accommodate the proposed use (CVS Pharmacy and Shopping Center) and required parking.

## **7. Other Factors:**

The purpose of the commercial district is to accommodate well-designed development that provide excellent transportation access, make the most efficient use of existing infrastructure and provide a Pharmacy and Shopping Center for the community. The wide range of uses permitted in the existing zoning district is too intense for the subject property's location; while the uses permitted in the "C-2" district are better suited for the area.



### Zoning Case Notification Plan

## Case Z-2012-009

Subject Property Legal Description(s): NCB 15689 - Block 000 - Parcel P-100 and NW Irr 447.80 ft of Lot 11

**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**

Scale: 1" approx. = 250 Feet  
Council District 10

#### Legend

- Subject Properties (9.7137 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning TEXT
- Requested Zoning Change (TEXT)
- 100-Year DFIRM Floodplain ———
- Single Family Residential 1R





# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2012009

Hearing Date: December 6, 2011

Property Owner: Todd Burek, Spencer Hasch & Robert Wieder

Applicant: Kaufman & Killen, Inc.

Representative: Kaufman & Killen, Inc.

Location: Located northeast of the intersection of Thousand Oaks and Nacogdoches Road abutting Uhr Lane

Legal Description: 9.7137 acres out of NCB 15689

Total Acreage: 9.7137 acres

City Council District: 10

Case Manager: Micah Diaz, Interim Senior Planner

Case History: This is the first public hearing for this zoning case. The case was previously delayed because of an issue with the related plan amendment request. The case has been expedited to City Council for consideration on December 15, 2011.

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### Proposed Zoning Change

**Current Zoning:** "PUD MF-33 AHOD" Planned Unit Development Multi-Family Airport Hazard Overlay District

**Requested Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on November 18, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 21, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on December 2, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 90

**Neighborhood Associations:** Citizens on Alert, Northern Hills Country Village Owners Association, and Northern Hills Homeowners Association are all located within 200 feet of the subject property.

**Planning Team Members:** San Antonio International Airport Vicinity Land Use Plan (No Planning Team)

**Applicable Agencies:** Aviation Department

## **Property Details**

**Property History:** The subject property was annexed in 1972 (Ordinance 41430), and was originally zoned “Temp R-1” Temporary Single Family Residence District. In a 1974 case, the property was zoned “B-2” Business District (Ordinance 43408). In 1981, the subject property was zoned (P-1) “R-3” Planned Unit Development Multi Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “PUD MF-33” Planned Unit Development Multi-Family District. The property is not platted and is undeveloped.

**Topography:** The subject property is not located within a flood plain. The property slopes gently from the north to the south.

## **Adjacent Zoning and Land Uses**

**Direction:** North and northeast

**Current Base Zoning:** “PUD MF-33”

**Current Land Uses:** Condominiums and apartments

**Direction:** East

**Current Base Zoning:** “C-2” Commercial District and “C-3” General Commercial District

**Current Land Uses:** Auto part retail, churches, auto repair and services, restaurant, and a convenience store

**Direction:** South and southwest

**Current Base Zoning:** “C-2”, “C-3” and “C-3R” General Commercial Restrictive Alcoholic Sales District

**Current Land Uses:** Retail centers and banks

**Direction:** West and northwest

**Current Base Zoning:** “R-5” Residential Single-Family District and “C-2” Commercial District

**Current Land Uses:** Single-family residences and senior living

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

## **Transportation**

**Thoroughfare:** Nacogdoches Road and Thousand Oaks

**Existing Character:** Secondary Arterial Type A thoroughfares; two lanes in each direction with a center turn lane and sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Uhr Lane

**Existing Character:** Collector street; one lane in each direction with side walks

**Proposed Changes:** None known

**Public Transit:** Multiple VIA bus lines operate along Nacogdoches Road, Thousand Oaks and Uhr Lane. There are 3 bus stops within two blocks of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required, but can be deferred to the platting phase. A traffic engineer must be present at the Zoning Commission hearing.

**Parking Information:** No specific information has been provided about the proposed use. Due to the wide range of permitted uses in the requested “C-3” zoning district, staff cannot estimate parking requirements at this time. Parking requirements will be determined at the time of building plan review and verified through the Certificate of Occupancy application process.

## **Staff Analysis and Recommendation: Approval, pending plan amendment.**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the San Antonio International Airport Vicinity Land Use Plan, and is designated as “Public/Institutional” in the future land use plan component of the plan. This land use designation is meant to accommodate public, quasi-public and institutional uses such as government, utility, educational, worship, and non-profit service facilities. The proposed commercial development is not consistent with the future land use designation.

The applicant has submitted a plan amendment request to change the land use designation to “Regional Commercial” on both the subject property and an abutting parcel. Regional commercial development should be located in nodes at the intersections of major arterial thoroughfares, with ample access to mass transit systems, on large acreage lots. Additionally, the plan encourages large developments to incorporate well-defined entrances, shared internal circulation, and limited curb cuts to arterial roadways. The property included in the plan amendment request meets all of these criteria.

Planning staff recommends approval of the plan amendment. The case is scheduled to be heard by the Planning Commission on December 14, 2011.

The parcel that is part of the plan amendment request, but is not included in the zoning case is currently zoned “C-3” General Commercial District.

### **2. Adverse Impacts on Neighboring Lands:**

Although large-scale commercial development will increase vehicle traffic, lighting, and noise, the applicant requests permission to construct an 8-foot tall solid screen fence to shield the abutting multi-family uses. Should the requested zoning be approved, a Type C 15-foot wide landscape buffer will be required where the property abuts single- or multi-family zoning.

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

The existing zoning is appropriate for the subject property’s location along and between major thoroughfares. Both the current and requested zoning districts will allow development that is consistent with the existing pattern of development in the area.

### **4. Health, Safety and Welfare:**

Staff has found no evidence of negative impacts on the public health, safety or welfare of the surrounding community.

### **5. Public Policy:**

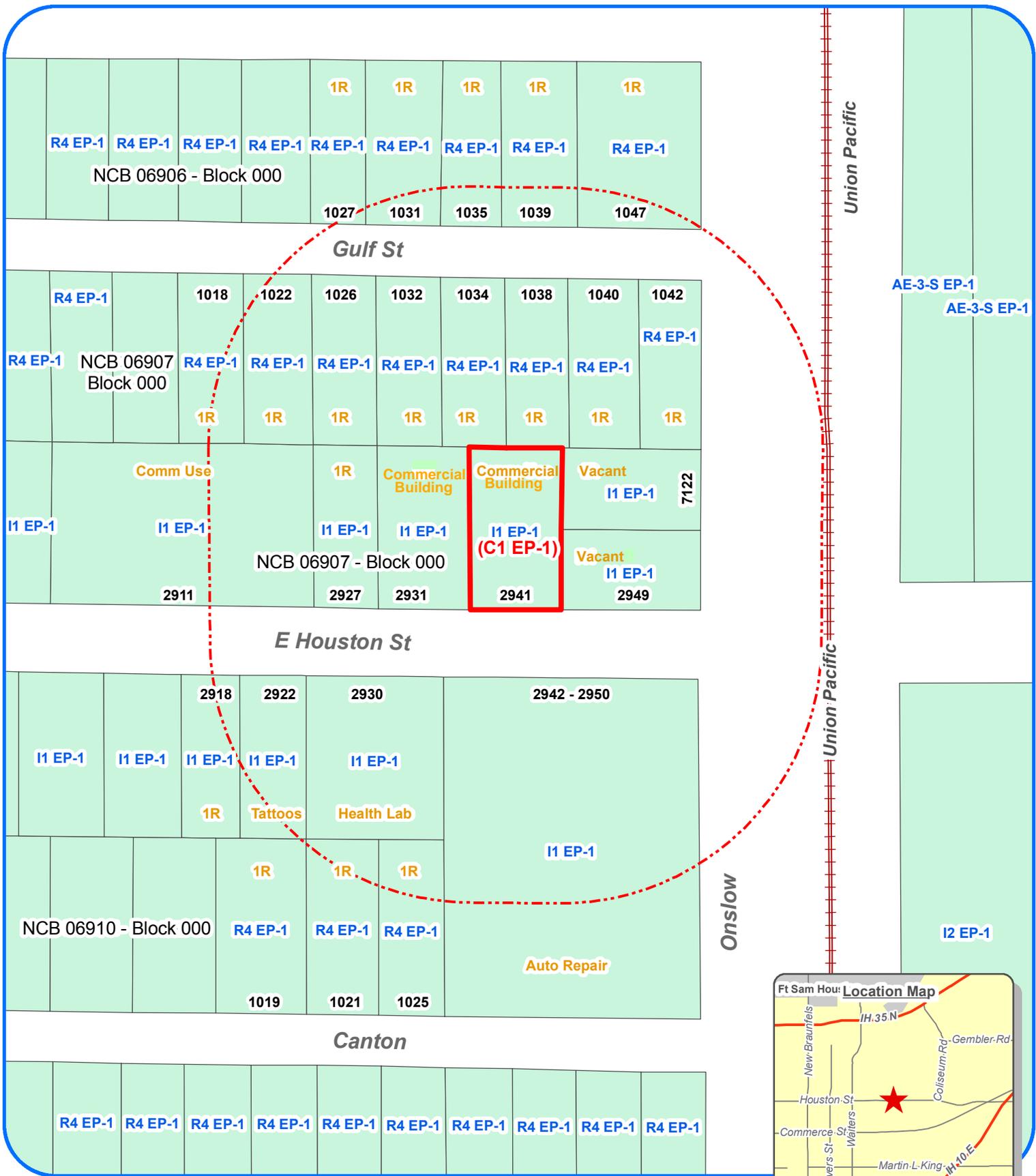
The request does not appear to conflict with any public policy objective.

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

The proposed development includes approximately 20 acres of land. The zoning request includes only 9.7 acres because the remaining portion of the proposed development is already zoned “C-3” General Commercial District. The development site is of sufficient size to accommodate structures and parking, as well as appropriate mitigating design elements such as building setbacks and landscape buffers.

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

None.



# Zoning Case Notification Plan

## Case Z-2012-012

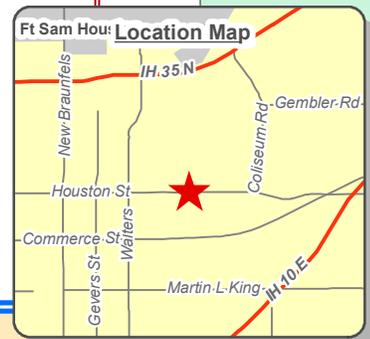
Council District 2

Scale: 1" approx. = 100 ft.

Subject Property Legal Description(s): NCB 06907 - Block 000 - Lots 17, 18 & W 10 ft of Lot 16

### Legend

- Subject Properties (0.1722 Acres)
- 200' Notification Area
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(11/18/2011 - E Hart)



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission  
Zoning Case #: Z2012012  
Hearing Date: December 6, 2011  
Property Owner: Elida Meeks-Villanueva  
Applicant: Elida Meeks-Villanueva  
Representative: Elida Meeks-Villanueva  
Location: 2941 East Houston Street  
Legal Description: Lot 17 and Lot 18 and the west 10 feet of Lot 16, NCB 6907  
Total Acreage: 0.1722  
City Council District: 2  
Case Manager: Pedro Vega, Planner  
Case History: This is the first public hearing for this zoning request.

#### **Proposed Zoning Change**

**Current Zoning:** "I-1 EP-1" General Industrial Facility Parking/Traffic Control District

**Requested Zoning:** "C-1 EP-1" Light Commercial Facility Parking/Traffic Control District

#### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 21, 2011. The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on November 17, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on December 2, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 29

**Neighborhood Associations:** Harvard Place-Eastlawn Neighborhood Association and Jefferson Heights Association within 200 feet

**Planning Team Members:** 25 (Arena District/Eastside Community Plan)

**Applicable Agencies:** None

#### **Property Details**

**Property History:** The subject property was annexed in October of 1950 and was originally zoned "JJ" Commercial District. Upon adoption of the Unified Development Code, the previous base zoning district converted to the current "I-1 EP-1" General Industrial Facility Parking/Traffic Control District.

**Topography:** The subject property is relatively flat and has no physical characteristics that are likely to affect the use.

## Adjacent Zoning and Land Uses

**Direction:** West

**Current Base Zoning:** "I-1 EP-1" General Industrial Facility Parking/Traffic Control District

**Current Land Uses:** Vacant Commercial Building and Single-Family Dwellings

**Direction:** East

**Current Base Zoning:** "I-1 EP-1" General Industrial Facility Parking/Traffic Control District

**Current Land Uses:** Single-Family Dwellings

**Direction:** North

**Current Base Zoning:** "R-4 EP-1" Residential Single-Family Facility Parking/Traffic Control District

**Current Land Uses:** Commercial Uses

**Direction:** South across East Houston Street

**Current Base Zoning:** "I-1 EP-1" General Industrial Facility Parking/Traffic Control District

**Current Land Uses:** Commercial Uses

**“EP-1” Facility Parking/Traffic Control District:** The purpose of this district is to establish regulations to regulate parking and traffic in and around large facilities that attract large amounts of vehicle traffic. Specific purposes of these facility parking/traffic control districts are as follows: To regulate parking of vehicles in areas not properly zoned for commercial parking, To reduce aesthetic and traffic problems for persons and businesses in these area, To reduce visual blight, congestion, and wear and tear on city streets, To increase access for emergency vehicles in these areas. Designation Criteria. To be designated as a facility parking/traffic control district, an area must be within one (1) mile of a facility with a capacity of over sixteen thousand (16,000) persons.

## Transportation

**Thoroughfare:** East Houston Street

**Existing Character:** Secondary Arterial two lanes in each direction.

**Proposed Changes:** None known.

**Public Transit:** The VIA number 24 and 222 bus lines operate along East Houston Street.

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

**Parking Information:** Minimum Parking Requirement: 1 per 300 sf GFA. Maximum Parking Requirement: 1 per 200 sf GFA (Antique Store). Minimum Parking Requirement: 1 per 100 sf GFA. Maximum Parking Requirement: 1 per 40 sf GFA (Restaurant).

## Staff Analysis and Recommendation: Approval

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the Arena District/Eastside Community Plan and is currently designated as “Neighborhood Commercial”. Neighborhood Commercial provides small areas for offices, professional services, service and shop front retail uses that can be served by pedestrian access. It permits a limited group of commercial uses that serve the neighborhood while protecting the abutting residential areas. Therefore, the "C-1 EP-1" Light Commercial Facility Parking/Traffic Control District is consistent with the plan.

### **2. Adverse Impacts on Neighboring Lands:**

The "C-1 EP-1" Light Commercial Facility Parking/Traffic Control District is a downzoning from the current "I-1 EP-1" General Industrial Facility Parking/Traffic Control District. The granting of the zoning request will not have an adverse impact on the neighborhood.

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

The "I-1" district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. "I-1" must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines.

The current "I-1 AHOD" General Industrial Airport Hazard Overlay District is not appropriate for the area. The "C-1 EP-1" Light Commercial Facility Parking/Traffic Control District will provide an opportunity for a reuse of the existing building and will be consistent with current uses along East Houston Street.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. The rezoning request to "C-1 EP-1" Light Commercial Facility Parking/Traffic Control District is a less intense use than the existing "I-1 EP-1" General Industrial Facility Parking/Traffic Control District.

### **5. Public Policy:**

The request does not appear to conflict with any established public policy. The property is located within the Inner City Reinvestment Policy (ICRIP) area. The purpose of the ICRIP is to promote growth and development in the inner city, specifically in areas that are currently served by public infrastructure and transit, but underserved by residential and commercial real estate markets.

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

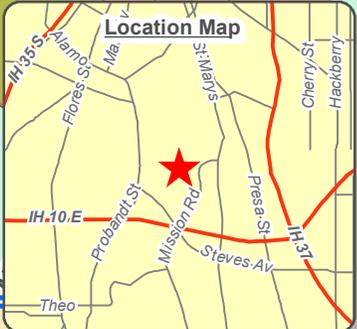
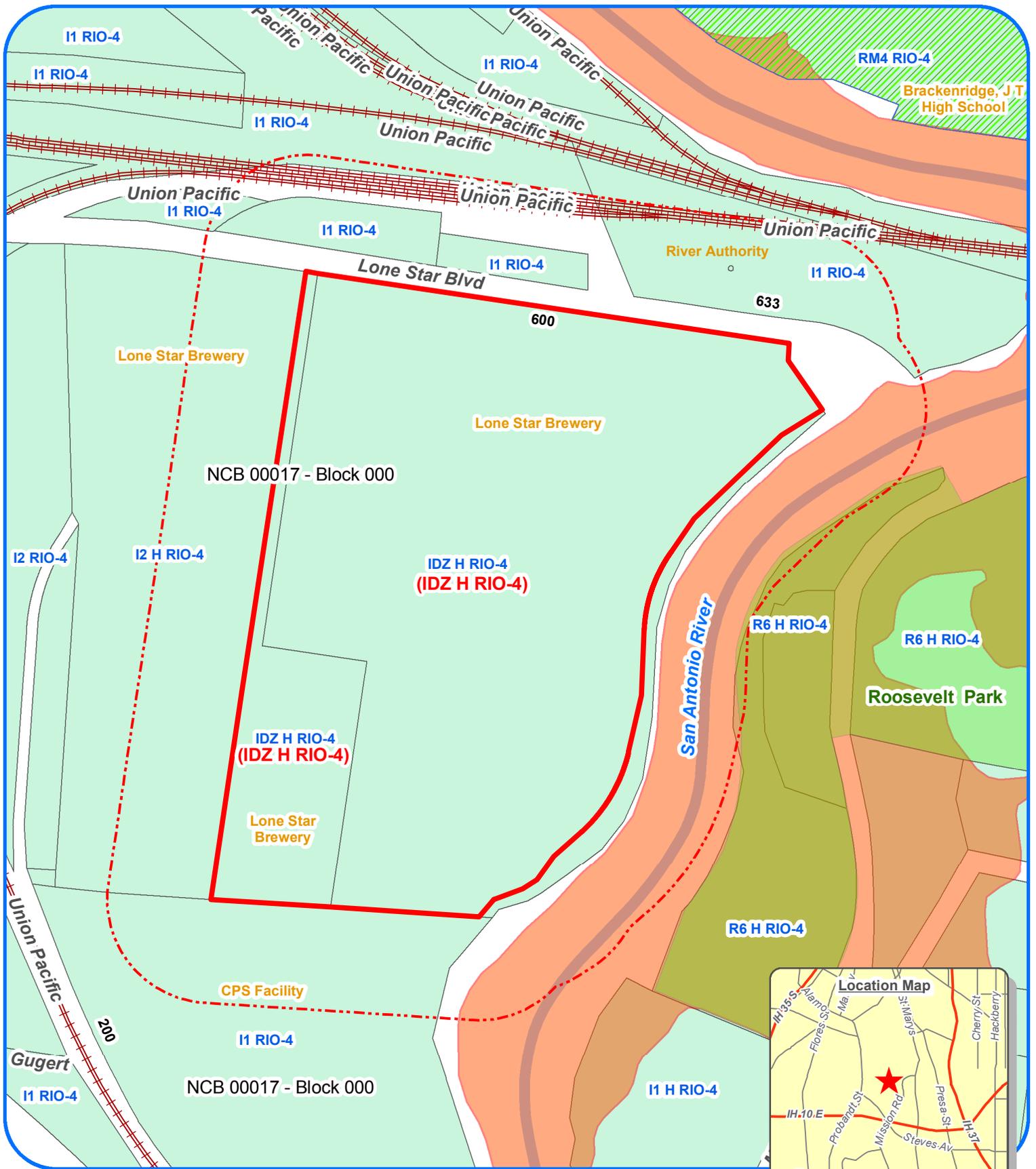
The property is currently developed with a 3,072 square foot commercial building built in 1956 on a 0.1722 acre tract.

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

The wide range of uses permitted in the existing "I-1" zoning district is too intense for the subject property's location; while the uses permitted in the "C-1" district are better suited for the area.

"C-1" districts accommodate neighborhood commercial uses and are considered appropriate buffers between residential uses and "C-2" and "C-3" districts and uses. Unless permitted as an accessory use, uses permitted within the commercial districts shall occur within completely enclosed structures. No external sound systems or live music shall be allowed. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "C-1 EP-1" Light Commercial Facility Parking/Traffic Control District is in accordance with the City's Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth. Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410.



# Zoning Case Notification Plan

## Case Z-2012-015

Council District 5  
 Scale: 1" approx. = 250 ft.  
 Subject Property Legal Description(s): 22.39 acres out of Lot 17, NCB A-17 Save & Except 0.804 of an acre out of Lot 17, NCB A-17

Legend	
Subject Properties	<span style="border: 2px solid red; display: inline-block; width: 20px; height: 10px;"></span> (21.58 Acres)
200' Notification Area	<span style="border: 2px dashed red; display: inline-block; width: 20px; height: 10px;"></span>
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
100-Year DFIRM Floodplain	<span style="background-color: #f4a460; display: inline-block; width: 20px; height: 10px;"></span>
Single Family Residential	1R



Development Services Dept  
 City of San Antonio  
 (11/16/2011 - E Hart)

**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2012015

Hearing Date: December 6, 2011

Property Owner: Newell Commercial Properties, LP

Applicant: Landbridge Partners, LLC (S. Sunshine Thacker, Manager)

Representative: Landbridge Partners, LLC (S. Sunshine Thacker, Manager)

Location: 600 Lone Star Boulevard

Legal Description: 22.39 acres out of Lot 17, NCB A-17; Save and Except 0.804 of an acre out of Lot 17, NCB A-17

Total Acreage: 21.58

City Council District: 5

Case Manager: Brenda V. Martinez

Case History: This is the first public hearing for this zoning case.

### Proposed Zoning Change

**Current Zoning:** "H IDZ AHOD RIO-4" Mission Historic Infill Development Zone Airport Hazard Overlay River Improvement Overlay District with uses permitted in "MF-40" Multi-Family District, "C-2" Commercial District with the additional uses of a Bar, Beer Garden, Microbrewery and Hotel

**Requested Zoning:** "H IDZ AHOD RIO-4" Mission Historic Infill Development Zone Airport Hazard Overlay River Improvement Overlay District with uses permitted in "C-2" Commercial District, Multi-Family uses at a Maximum Gross Density of 60 units/acre with the additional uses of a Bar, Beer Garden, Microbrewery and Hotel

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on November 18, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 23, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on December 2, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 12

**Neighborhood Associations:** Lone Star Neighborhood Association; Roosevelt Park Neighborhood Association is within 200 feet

**Planning Team Members:** 15 (South Central San Antonio Community Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is currently occupied by a vacant industrial building. The property was previously utilized as a brewery (Lone Star) for many years. The property is located within the City Limits as they were recognized in 1936, and was originally zoned "L" First Manufacturing District. In a 1985 case, the subject property was rezoned to "I-2" Heavy Industry District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-2" Heavy Industrial District. In a 2008 case, the subject property was rezoned to "IDZ" Infill Development Zone with uses permitted in "MF-40" and "C-2" with the following additional uses: bar, beer garden, microbrewery and hotel.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** I-1

**Current Land Uses:** River Authority and Vacant Commercial

**Direction:** South

**Current Base Zoning:** I-1

**Current Land Uses:** CPS Facility

**Direction:** East

**Current Base Zoning:** R-6

**Current Land Uses:** Roosevelt Park and the San Antonio River

**Direction:** West

**Current Base Zoning:** I-2

**Current Land Uses:** Lone Star Brewery

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

All surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

## **Transportation**

**Thoroughfare:** Lone Star Boulevard

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA buslines are the number 46 line and the number 246 line, which operate along Probandt Street.

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

**Parking Information:** Microbrewery– Minimum: 1 parking space per 2 seats; Maximum: 1 parking space per 1.5 seats

Bar– Minimum: 1 parking space per 100 square feet of gross square footage; Maximum: 1 parking space per 75 square feet of gross square footage

Hotel– Minimum: 0.8 per room plus 1 per 800 square feet of public meeting area and restaurant space; Maximum: 1 per room plus 1 per 400 square feet of public meeting area and restaurant space

The "IDZ" Infill Development Zone District eliminates off-street parking requirements.

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the South Central San Antonio Community Plan area, and is identified as Mixed Use in the Future Land Use component of the Plan. The zoning request is consistent with the adopted land use designation.

### **2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The "IDZ" zoning district is meant to provide flexible standards for the development and reuse of underutilized parcels. Further, the "IDZ" district includes design criteria intended to create infill development that is proportional to surrounding development.

The site is located in an area where there is accessibility to public services and traffic circulation to major thoroughfares. There is a mix of uses surrounding the subject property. This development pattern is desired along this block of Lone Star Boulevard, as described in the South Central Community Plan.

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

Both the existing and requested zoning are appropriate for the subject property. Staff believes the proposed use will be compatible with the surrounding land uses and overall character of the area.

### **4. Health, Safety and Welfare:**

Staff has found no evidence of likely negative impacts on public health, safety or welfare related to the zoning request. The "IDZ" district is meant to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

### **5. Public Policy:**

The subject property and the proposed development meet the criteria of the Inner City Reinvestment Infill Policy (ICRIP). This policy provides development fee waivers to applicants and grant funded reimbursement for city departments, in an effort to encourage redevelopment of under-utilized urban properties.

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

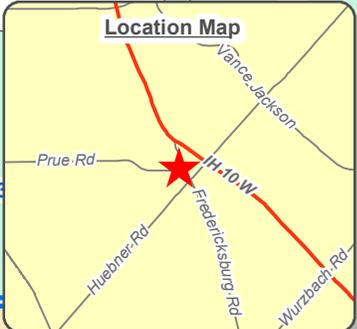
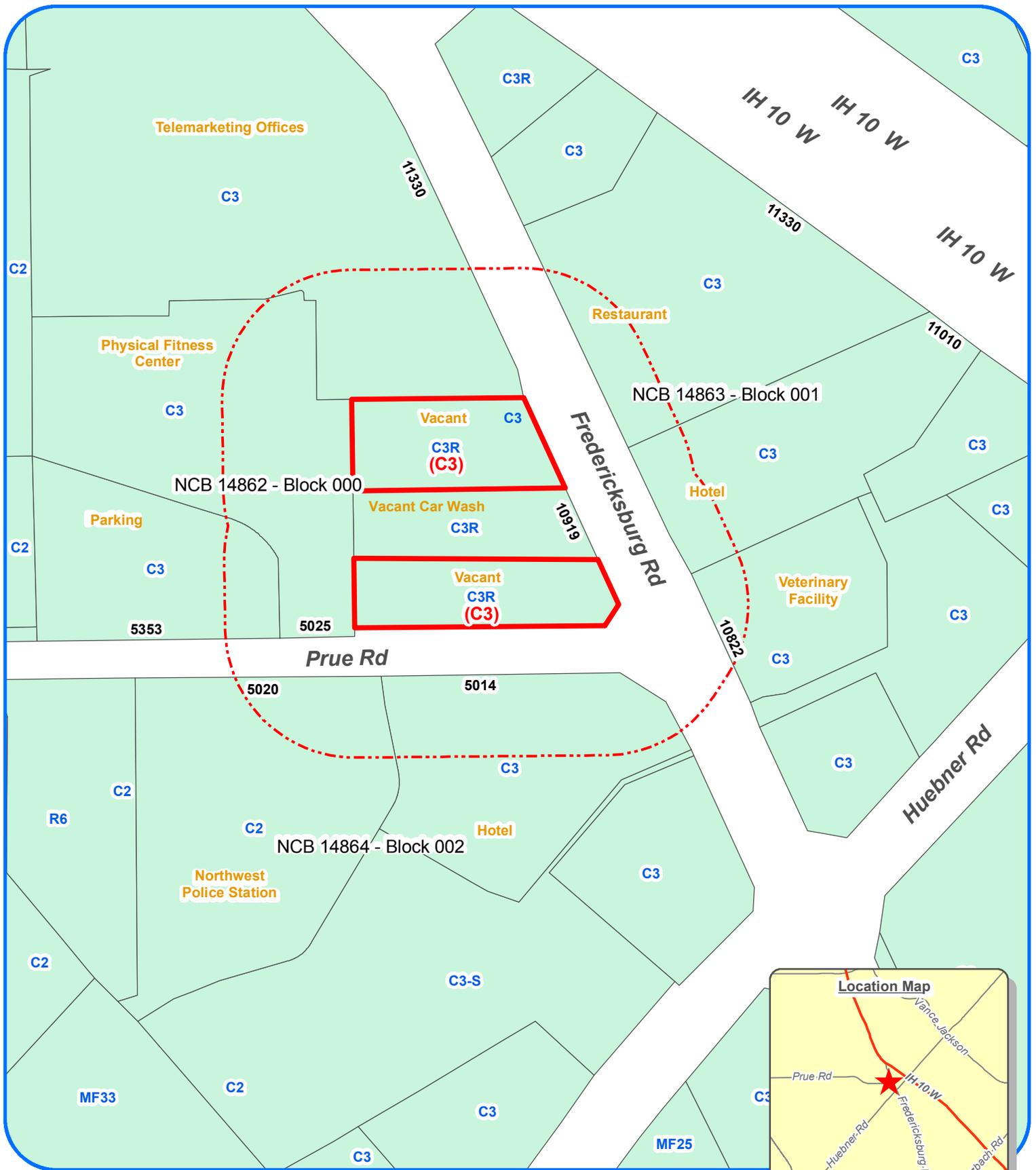
The subject property is of sufficient size to accommodate the proposed uses with the flexibility offered by the "IDZ" district.

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

The existing zoning would allow approximately 860 dwelling units on the subject property. The applicant is proposing approximately 1,290 dwelling units on the subject site.

Further, the applicant is proposing to build a public road through the subject property and plat individual lots off that proposed road.





# Zoning Case Notification Plan

## Case Z-2012-016

Council District 8  
 Scale: 1" approx. = 200 ft.  
 Subject Property Legal Description(s): NCB 14862 - Block 000 - Lots 49 and 51

### Legend

- Subject Properties (1.872 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **(TEXT)**
- 100-Year DFIRM Floodplain ———
- Single Family Residential **1R**



Development Services Dept  
 City of San Antonio  
 (11/18/2011 - E Hart)



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2012016

Hearing Date: December 6, 2011

Property Owner: LVDL Holdings, LLC

Applicant: LVDL Holdings, LLC (Mark Martinez, Manager)

Representative: John Park

Location: A portion of the 10900 Block of Fredericksburg Road. Located northwest of the intersection of Fredericksburg Road and Prue Road.

Legal Description: Lots 49 and 51, NCB 14862

Total Acreage: 1.872

City Council District: 8

Case Manager: Brenda V. Martinez

Case History: This is the first public hearing for this zoning case.

#### **Proposed Zoning Change**

**Current Zoning:** "C-3R" General Commercial Restrictive Alcoholic Sales District and "C-3" General Commercial District

**Requested Zoning:** "C-3" General Commercial District

#### **Procedural Requirements**

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on November 18, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 23, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on December 2, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

#### **Notices Mailed**

**Owners of Property within 200 feet:** 10

**Neighborhood Associations:** Oakland Estates Neighborhood Association is within 200 feet

**Planning Team Members:** 41 (North Sector Plan)

**Applicable Agencies:** None

## **Property Details**

**Property History:** The subject property is currently undeveloped. The property was annexed in 1971 and was originally zoned "Temp R-1" Temporary Single-Family Residence District. In a 1983 case, the property was rezoned from "Temp R-1" to "B-3R" Restrictive Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3R" General Commercial Restrictive Alcohol Sales District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

## **Adjacent Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Telemarketing Office

**Direction:** South

**Current Base Zoning:** C-3

**Current Land Uses:** Hotel

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Restaurant, Hotel and Veterinary Clinic

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Fitness Center and Parking Lot

**Overlay and Special District Information:** None

## **Transportation**

**Thoroughfare:** Fredericksburg Road

**Existing Character:** Secondary Arterial Type A; 3 lanes in each direction

**Proposed Changes:** None known.

**Thoroughfare:** Prue Road

**Existing Character:** Secondary Arterial Type A; 2 lanes in each direction

**Proposed Changes:** None known.

**Public Transit:** The nearest VIA buslines are the number 96 line, which operates along Prue Road and the number 91, which operates along Fredericksburg Road.

**Traffic Impact:** A Traffic Impact Analysis is required.

**Parking Information:** The zoning request generally refers to proposed retail uses. Parking requirements are determined by use and, often size of the development; therefore, staff cannot calculate future parking requirements for the subject property. However, the property as a whole is of sufficient size to accommodate a commercial structure and parking. The requested zoning district does not carry specific locational requirements for parking.

## **Staff Analysis and Recommendation: Approval**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject property is located within the North Sector Plan area, and is identified as Regional Center in the Future Land Use component of the Plan. The zoning request is consistent with the adopted land use designation.

### **2. Adverse Impacts on Neighboring Lands:**

The proposed zoning district and development will not have any adverse impact on the neighboring properties. The subject properties are surrounded by other properties of similar size, use and/or zoning district.

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

The existing "C-3" zoning district is likely appropriate for the subject property given the location on an arterial and the established pattern of commercial development in the area.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare due to this request.

### **5. Public Policy:**

The request is consistent with the Sector Plan, which is a component of the City's Master Plan.

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

The subject property is 1.872 acres, which should be able to reasonably accommodate a commercial use.

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

None.



# Zoning Case Notification Plan

## Case Z-2012-017

Council District 1

Scale: 1" approx. = 200 ft.

Subject Property Legal Description(s): NCB 06580 - Block 001 - Lot 13 and NCB 06581 - Block 002 - Lots 2, 3, 5 and W 50 ft of Lot 6

### Legend

- Subject Properties (2.136 Acres) ———
- 200' Notification Area - - - - -
- Current Zoning **TEXT**
- Requested Zoning Change **TEXT (TEXT)**
- 100-Year DFIRM Floodplain
- Single Family Residential **1R**



Development Services Dept  
City of San Antonio  
(11/17/2011 - E Hart)

**Note: All Current and Requested Zoning includes AHOD Zoning (Airport Hazard Overlay District).**



# City of San Antonio

## Development Services Department

### Staff Report

To: Zoning Commission

Zoning Case #: Z2012017 S

Hearing Date: December 6, 2011

Property Owner: Trinity University

Applicant: Kaufman & Killen, Inc.

Representative: Kaufman & Killen, Inc.

Location: 115, 119, 139, 146 Oakmont Court

Legal Description: Lots 2, 3, 5 and the west 50 feet of Lot 6, Block 2, NCB 6581 and Lot 13, Block 1, NCB 6580

Total Acreage: 2.1361

City Council District: 1

Case Manager: Micah Diaz, Interim Senior Planner

Case History: This is the first public hearing for this zoning case.

### Proposed Zoning Change

**Current Zoning:** "H R-5 AHOD" Monte Vista Historic Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "H R-5 S AHOD" Monte Vista Historic Residential Single-Family Airport Hazard Overlay District with Specific Use Authorization for a School - University or College (Private)

### Procedural Requirements

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). The application was published in The Daily Commercial Recorder, an official newspaper of general circulation on November 18, 2011. Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on November 17, 2011. Additionally, notice of this meeting was posted at city hall and on the city's internet website on December 2, 2011, in accordance with Section 551.043(a) of the Texas Government Code.

### Notices Mailed

**Owners of Property within 200 feet:** 27

**Neighborhood Associations:** Monte Vista Historical Association

**Planning Team Members:** Monte Vista Neighborhood Plan

**Applicable Agencies:** Office of Historic Preservation

### Property Details

**Property History:** The subject property consists of four individual properties along the north and south sides of Oakmont Court. The properties are located within the city limits as they were recognized in 1938, and were originally zoned "A" Single-Family Residence District. In 1975, the Monte Vista Historic District was established by

Ordinance 45504. Upon adoption of the 2001 Unified Development Code, the previous "A" base zoning district converted to the current "R-5" Residential Single-Family District. The subject property lot and block numbers were recorded with the Bexar County Clerk in 1923, as part of the Oakmont Addition. According to the Sanborn Maps, historic City Directory records, and recorded deed records, the houses located at 115, 119, 139 and 146 Oakmont Court were constructed in 1925, 1947, 1950, and 1930 and acquired by Trinity University in 1963, 2010, 1952, and 1958, respectively. The previous "A" zoning district allowed both public and private schools, including colleges and universities. Prior to the adoption of the 2001 Unified Development Code, the subject properties owned by the University could have been legally used for school-related purposes.

**Topography:** The subject property does not include any abnormal physical features such as significant slope or inclusion in a flood plain.

## **Adjacent Zoning and Land Uses**

**Direction:** North and South

**Current Base Zoning:** "R-5"

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

**Direction:** West

**Current Base Zoning:** "R-5", "R-5 CD" with a Conditional Use for a Library Office and "MF-33"

**Current Land Uses:** Single-family residences, public library and apartments

**Direction:** East

**Current Base Zoning:** "R-5"

**Current Land Uses:** Single-family residences and Trinity University

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

All surrounding properties are located within the Monte Vista Historic District, signifying the historic architectural character or cultural significance of the area. Historic Districts do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. Work requiring building or demolition permits for properties within a Historic District are subject to review and approval by the Office of Historic Preservation and, possibly, the Historic and Design Review Commission.

## **Transportation**

**Thoroughfare:** Oakmont Court, Shook Avenue, East Rosewood Avenue and Bushnell

**Existing Character:** Local streets, one lane in each direction with sidewalks

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus lines operate along Hildebrand Avenue, approximately two blocks north of the subject properties.

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

**Parking Information:** Off-street vehicle parking requirements for university uses are determined by the number of students enrolled in the school. Staff cannot calculate the parking requirements for Trinity University. The requisite site plans for the requested Specific Use Authorization do not include any additional parking on the subject properties; however, each property has some existing parking space available. The site plans indicate parking for the properties will be made available on the university's main campus. A cooperative parking agreement may be required.

## **Staff Analysis and Recommendation: Approval, with conditions**

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

### **1. Consistency:**

The subject properties are located within the Monte Vista Neighborhood Plan, which was adopted in 1988. However, this plan is not used to determine consistency for zoning cases because it has not been reviewed or updated since its original adoption. However, the plan document does raise concerns regarding loss of housing due to institutional expansion into the residential neighborhood.

### **2. Adverse Impacts on Neighboring Lands:**

Three of the four subject properties carry Development Preservation Rights (DPR) that allow University uses, which may include, but are not limited to, faculty or student housing, administrative offices, classrooms, parking structures, athletic facilities and meeting/reception halls. DPR may allow expansion of existing structures and uses, as well as rebuilding should the structures be removed, damaged or destroyed.

Approval of the requested rezoning will terminate the previous registration of Development Preservation Rights. Additionally, approval of a Specific Use Authorization restricts future expansion of the specified use to what is identified on the approved site plan. Conditions may also be placed on the Specific Use Authorization to further mitigate the effects of the additional use on surrounding properties.

The location of the properties within a historic district provides an extra level of review for any demolition request or construction plan, regardless of zoning or Development Preservation Rights. Design review in the City's historic districts is an important tool to protect the character of neighborhoods such as Monte Vista; however, historic designation does not directly impact or regulated use.

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

The subject properties are well suited for the existing zoning.

### **4. Health, Safety and Welfare:**

Staff has found no evidence that approval of the zoning change request will adversely affect the health, safety or welfare of the general public.

### **5. Public Policy:**

The request does not appear to conflict with any public policy objective.

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

The site plans submitted for this zoning change request do not include any proposed new construction. The subject properties are of sufficient size to accommodate the existing development and proposed uses.

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

Approval of a Specific Use Authorization and site plan for the subject properties offers a higher level of protection for the existing structures and residential character of the neighborhood than is otherwise provided by the historic district and registered Development Preservation Rights.

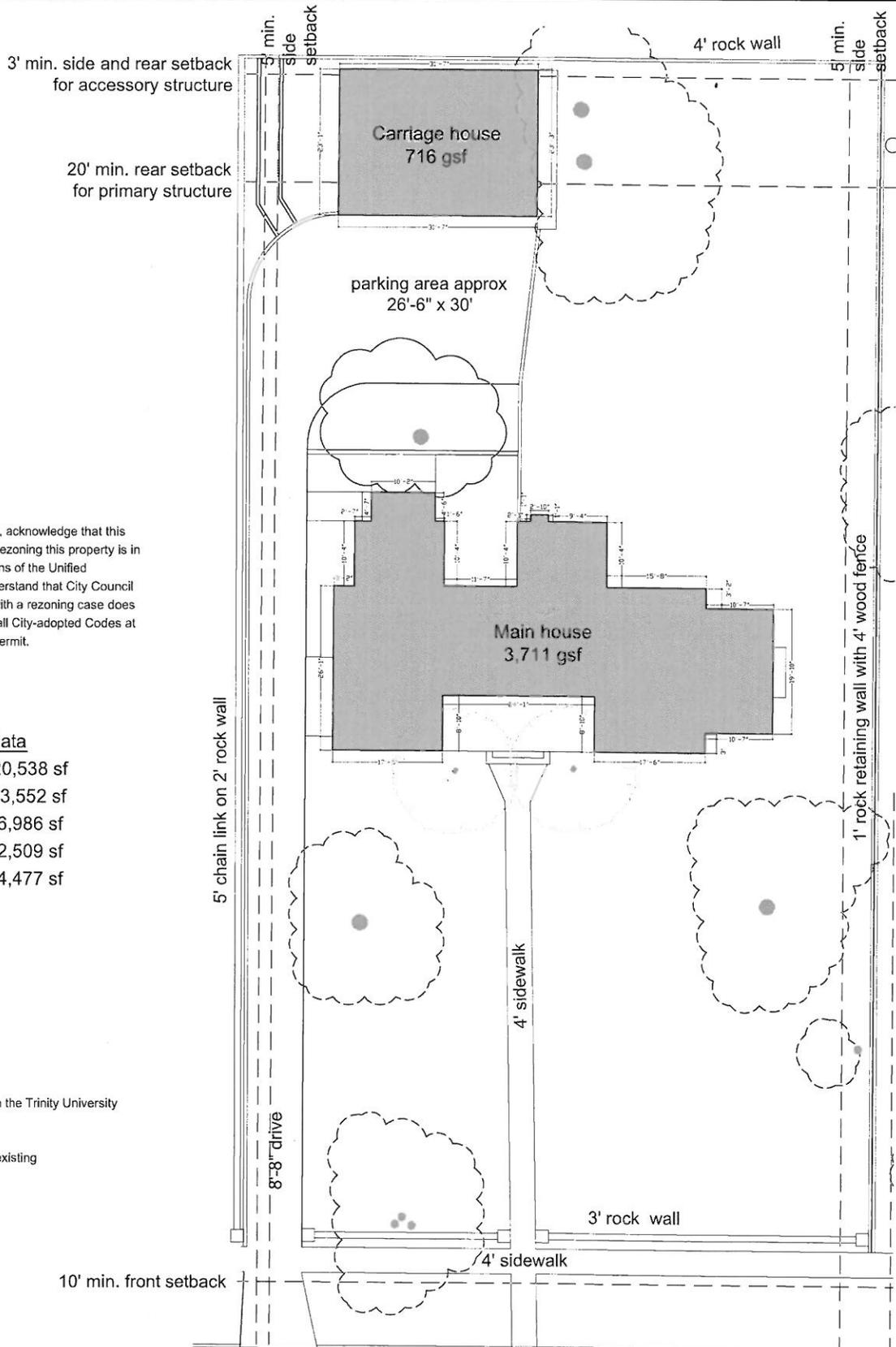
I, Trinity University, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permit.

Lot square footage data

Total	20,538 sf
Pervious	13,552 sf
Impervious	6,986 sf
Building footprints	2,509 sf
Paving	4,477 sf

Notes:

- Parking will be provided for on the Trinity University main campus
- All structures and fences are existing



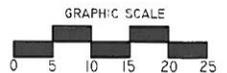
Oakmont Court

115 Oakmont

NCB 6581 Blk 2 Lot 2

Request zoning change from R5H to R5H with a Specific Use Authorization for Private University Use

Trinity University



3' min. side and rear setback for accessory structure

20' min. rear setback for primary structure

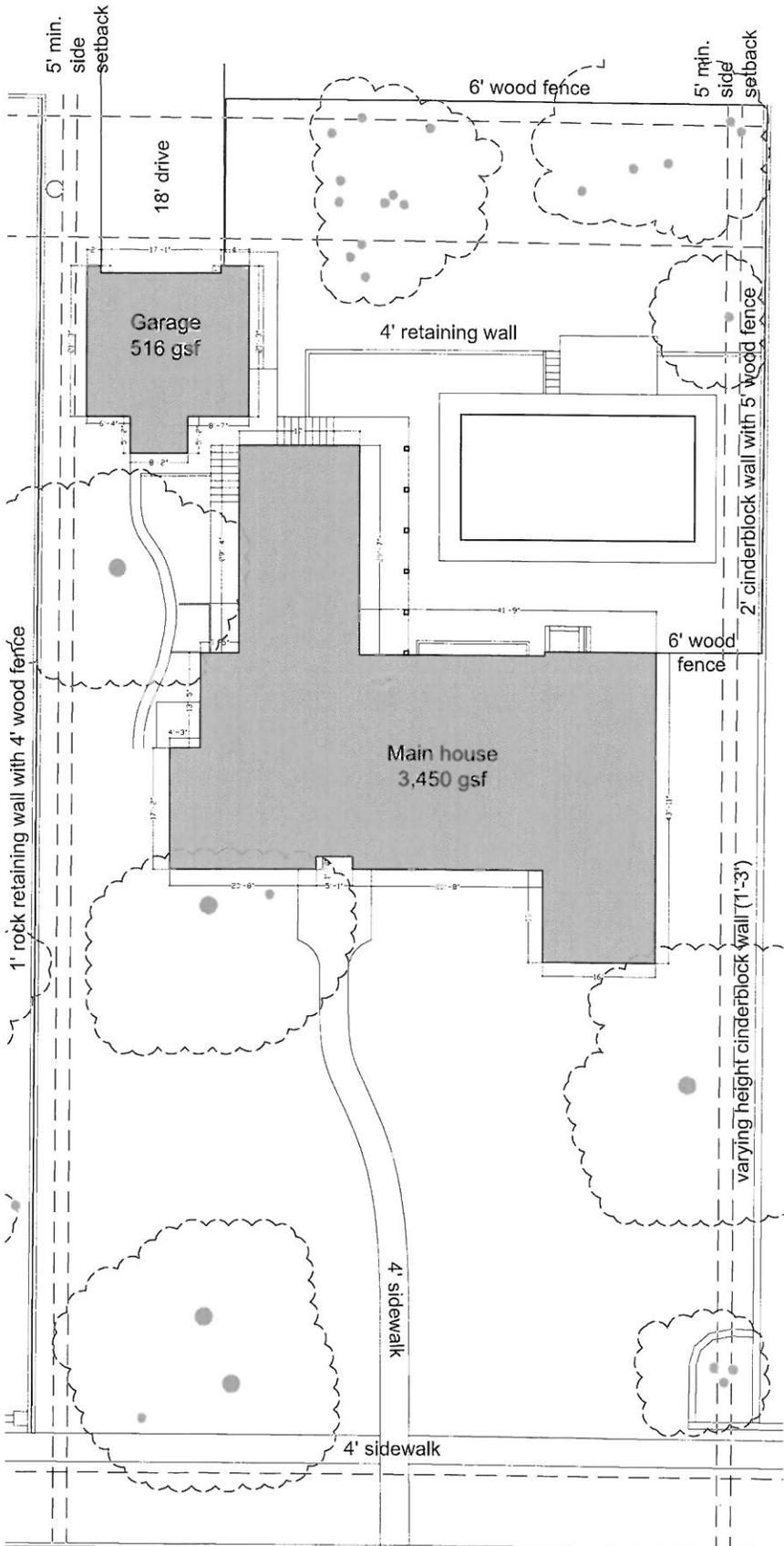
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Lot square footage data

Total	20,538 sf
Pervious	14,227 sf
Impervious	6,311 sf
Building footprints	3,457 sf
Paving	2,854 sf

Notes:

- Parking will be provided for on the Trinity University main campus
- All structures and fences are existing



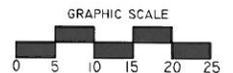
Oakmont Court

119 Oakmont

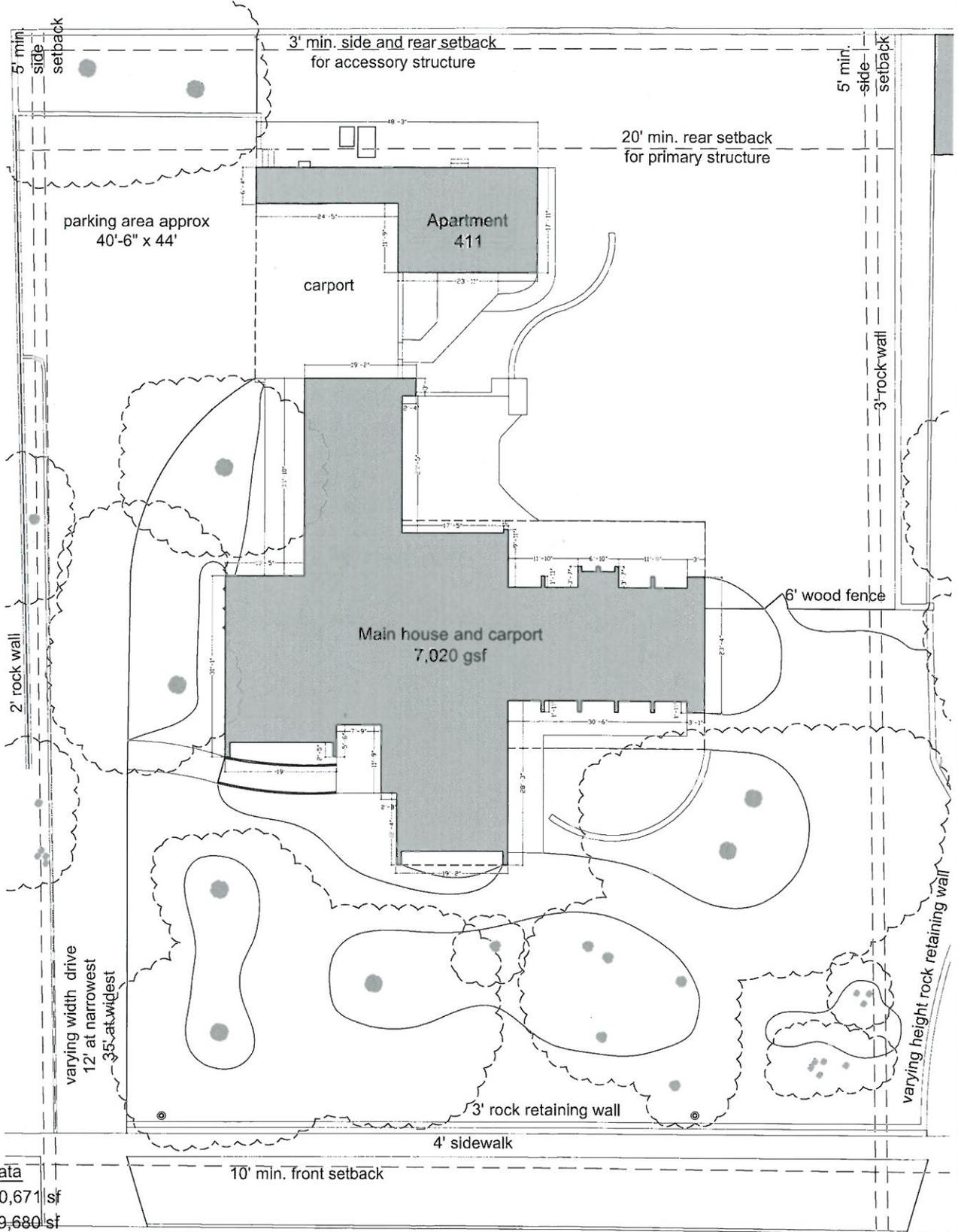
NCB 6581 Blk 2 Lot 3

Request zoning change from R5H to R5H with a Specific Use Authorization for Private University Use

Trinity University



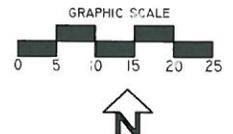
I, Trinity University, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permit.



- Notes:
- Parking will be provided for on the Trinity University main campus
  - All structures and fences are existing

Lot square footage data	
Total	30,671 sf
Pervious	19,680 sf
Impervious	10,991 sf
Building footprints	4,674 sf
Paving	6,317 sf

139 Oakmont  
 NCB 6581 Blk 2 Lot 5  
 and w. 50' of Blk 6  
 Request zoning change from R5H to R5H with a  
 Specific Use Authorization for Private University Use  
 Trinity University



I, Trinity University, the property owner, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes at the time of plan submittal for building permit.

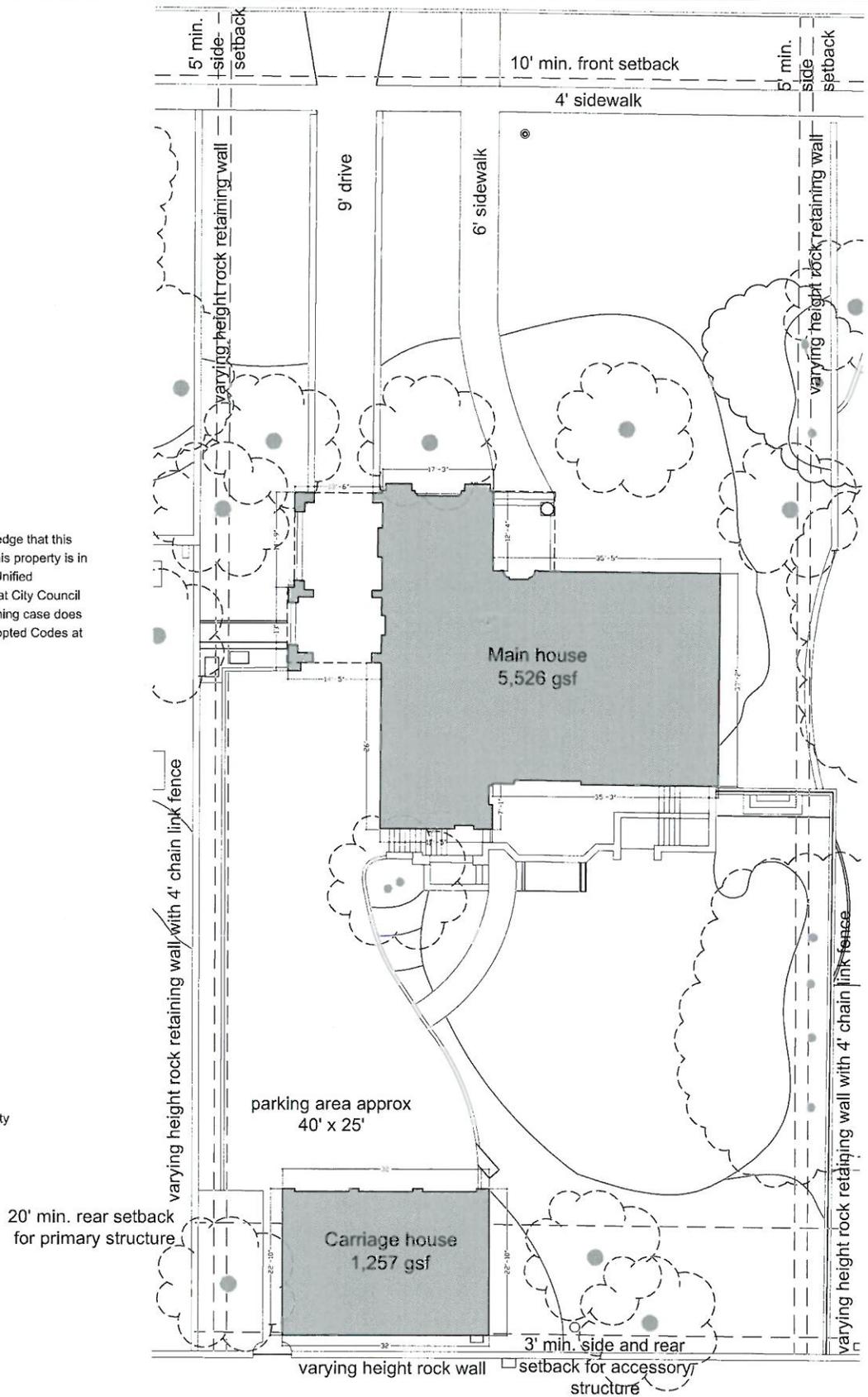
Lot square footage data

Total	20,857 sf
Pervious	12,182 sf
Impervious	8,675 sf
Building footprints	2,801 sf
Paving	5,874 sf

Notes:

-Parking will be provided for on the Trinity University main campus

-All structures and fences are existing



14 November 2011

146 Oakmont  
 NCB 6580 Blk 1 Lot 13  
 Request zoning change from R5H to R5H with a  
 Specific Use Authorization for Private University Use  
 Trinity University

