



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 5, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2024-10700236

**SUMMARY:**

**Current Zoning:** "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District and "C-3R S" General Commercial Restrictive Alcoholic Sales District with a Specific Use Permit for Clock and Broom Manufacturing, Warehousing, and Outside Storage

**Requested Zoning:** "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Warehousing, and fifteen (15) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2024

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** Serenity Now, LTD

**Applicant:** John Albert Hanesworth

**Representative:** John Albert Hanesworth

**Location:** 140 and 154 Fredericksburg Road

**Legal Description:** Lot 13, Block 2, NCB 1919

**Total Acreage:** 0.7093 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 39

**Registered Neighborhood Associations within 200 feet:** Gardendale Neighborhood Association, San Antonio District One Resident Association

**Applicable Agencies:** Solid Waste Management Department

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "J" Commercial District. The property was rezoned by Ordinance 86704, dated September 25, 1997, to "B-3NA" Business District, Nonalcoholic Sales and "B-3R SUP" Restrictive Business District with a Special Use Permit for Clock and Broom Manufacturing, Warehousing, and Outside Storage. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, "B-3NA" Business District, Nonalcoholic Sales converted to the current "C-3NA" General Commercial Nonalcoholic Sales District and "B-3R SUP" Restrictive Business District with a Special Use Permit for Clock and Broom Manufacturing, Warehousing, and Outside Storage converted to the current "C-3R S" General Commercial Restrictive Alcoholic Sales District with a Specific Use Authorization for Clock and Broom Manufacturing, Warehousing, and Outside Storage.

### **Code & Permitting Details:**

Minor Plat (LAND-PLAT-21-11800521) September 2021

Zoning Investigation – Platting (INV-ZCD-21-3140003063) September 2021

Zoning Investigation – Residential in Commercial District (INV-ZCD-24-3140003002) October 2024

Zoning Investigation – Residential in Commercial District (INV-ZRD-24-3170002997) October 2024

Permit Investigation – COO (INV-COI-24-3120005961) October 2024

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

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3NA", "C-3", "R-4", "RM-4"

**Current Land Uses:** Tire shop, Auto Repair Shop, Single Family Dwellings

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single Family Dwellings

**Direction:** South

**Current Base Zoning:** "C-3R", "RM-4 PUD", "C-2"

**Current Land Uses:** Gas Station, Restaurant, Single Family Dwellings

**Direction:** West  
**Current Base Zoning:** "I-1"  
**Current Land Uses:** Church, Party Store

**Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

None

**Transportation**

**Thoroughfare:** Fredericksburg Road  
**Existing Character:** Minor Secondary Arterial B  
**Proposed Changes:** None Known

**Thoroughfare:** Culebra Road  
**Existing Character:** Minor  
**Proposed Changes:** None Known

**Thoroughfare:** North Comal Street  
**Existing Character:** Local  
**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.  
**Routes Served:** 95, 96, 97, 289, 296, 82, 88, 282, 288, 2, 20, 202

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The parking requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b. The minimum parking requirement for Warehousing is 1 space per 5,000 sf GFA. The minimum parking requirement for Multi-Family is 1.5 spaces per unit.

"IDZ-2" waives the minimum parking requirement by 50%.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "C-3NA" General Commercial Districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

"C-3R S" General Commercial Districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

The "S" Specific Use Authorization is for Clock and Broom Manufacturing, Warehousing, and Outside Storage.

Proposed Zoning: "IDZ-2" Medium Intensity Infill Development Zone allows rezoning requests up to 50 units per acre, and uses permitted in "C-2" and "O-1.5". All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

The "IDZ-2" request is for uses permitted within "C-2" Commercial District, Warehousing, and 15 Dwelling units.

**FISCAL IMPACT:**

None

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

Subject property is located within the Midtown Regional Center and, is within ½ a mile from the New Braunfels Ave Metro Premium Plus Transit Corridor and Bandera Metro Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

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

- 1. Consistency:** The subject property is located within the Midtown Area Regional Center Plan, adopted in 2019, and is currently designated as "Urban Mixed Use" in the future land use component of the plan. The requested "IDZ-2" base zoning district is consistent with the future land use designation.
- 2. Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are zoned "C-3NA" General Commercial Nonalcoholic Sales District, "R-4" Residential Single-Family District, "RM-4" Residential Mixed District, and "I-1" General Industrial.
- 3. Suitability as Presently Zoned:** The existing "C-3NA" General Commercial Nonalcoholic Sales District and "C-3R S" General Commercial Restrictive Alcoholic Sales District with a Specific Use Permit for Clock and Broom Manufacturing, Warehousing, and Outside Storage are appropriate zonings for the property and surrounding area. The proposed "IDZ-2" Medium Intensity Infill Development Zone with uses permitted in "C-2" Commercial District, Warehousing, and fifteen (15) dwelling units is also appropriate. The request to rezone is to

permit a mix of commercial and residential development, which would align with existing uses in the area. Additionally, given that the property is located off of Fredericksburg Road, a secondary arterial, staff finds that it meets the locational requirements to accommodate traffic. The applicant will also have to adhere to the prescribed site plan. Any deviation from the approved document could potentially warrant additional council consideration.

4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does not appear to conflict with public policy. Relevant Goals and Policies of the Midtown Area Regional Center Plan may include:
  - Goal 1: Preserve Midtown's Distinct Character
  - Goal 4: Support Unique, Mixed Activity Areas
  - Goal 5: Broaden Housing Choices
  - Goal 7: Stimulate a Thriving Economy
6. **Size of Tract:** The 0.7093-acre site is of sufficient size to accommodate the proposed mixed use development.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates both residential and commercial uses.

Based on the application, we are unable to determine if the proposed development would be eligible for City waste services at this time. It is recommended the developer review the City ordinance regarding solid waste and the attached informational bulletin for layout and design requirements to be eligible for City services. Should this development not meet the criteria for City waste services, it is recommended the developer be prepared to procure waste and/or dumpster services from a waste hauling business. In the future event the development is approved, the City provides waste services to residential dwellings, commercial customers must contact a private hauler.