



City of San Antonio

Agenda Memorandum

Agenda Date: December 5, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2023-10700288 S

SUMMARY:

Current Zoning: "R-6 UC-4 AHOD" Residential Single-Family North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "C-1 S UC-4 AHOD" Light Commercial North St. Mary's Street Urban Corridor Overlay Airport Hazard Overlay District with a Specific Use Authorization for Commercial Parking Lot, "C-1 S AHOD" Light Commercial Airport Hazard Overlay District with a Specific Use Authorization for Commercial Parking Lot, and "NC S AHOD" Neighborhood Commercial Airport Hazard Overlay District with a Specific Use Authorization for Commercial Parking Lot

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 5, 2023. This case is continued from the November 7, 2023 meeting.

Case Manager: Kellye Sanders, Planning Coordinator

Property Owner: St Sophia Greek Orthodox Church

Applicant: St. Sophia Greek Orthodox Church

Representative: P.W. Christensen, P.C.

Location: 119 and 134 Terry Court, and 402 and 406 East French Place

Legal Description: 0.419 acres out of NCB 6518 and NCB 6805, and 0.341 acres out of NCB 3053

Total Acreage: 0.76

Notices Mailed

Owners of Property within 200 feet: 46

Registered Neighborhood Associations within 200 feet: Tobin Hill Community

Applicable Agencies: Fort Sam Houston

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned “B” Residence District and “F” Local Retail District. The property was rezoned by Ordinance 83331, dated December 14, 1995, to “R-1” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-1” Single-Family Residence District was converted to the current “R-6” Residential Single-Family District.

Code & Permitting Details:

Demolition Permit – DEM-DEM-PMT23-39200086 – May 2023 – 134 Terry Court

There is no code enforcement history for the subject property.

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: NC, C-3

Current Land Uses: Salon, Single-Family Residential, Bar/Tavern

Direction: South

Current Base Zoning: R-6, C-3

Current Land Uses: Single-Family Residential, Bar/Tavern

Direction: East

Current Base Zoning: R-6, MF-33

Current Land Uses: Single-Family Residential

Direction: West

Current Base Zoning: R-6, C-2

Current Land Uses: Church, Restaurants, Bar/Tavern, Offices

Overlay District Information:

The “UC-4” North St. Mary’s Street Urban Corridor overlay was established because there are many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods

are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of “UC” serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

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:

N/A

Transportation

Thoroughfare: North St. Mary’s Street

Existing Character: Collector

Proposed Changes: North St. Mary's (East Mistletoe Ave to West Josephine) -- Improve N. St. Mary's from Mistletoe to Josephine including sidewalk connectivity, intersection improvements and signal enhancements as appropriate and within available funding.

Thoroughfare: East French Place

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Terry Court

Existing Character: Local

Proposed Changes: None known.

Public Transit: There are VIA bus routes within walking distance of the subject property.

Routes Served: 8, 20

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: There is no minimum or maximum parking requirements for a Commercial Parking Lot.

ISSUE:

None

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-Family District permits single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: “C-1” Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

“NC” Neighborhood Commercial District provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant

The Specific Use Authorization would permit a Commercial Parking Lot.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center but is within a ½ mile of the New Braunfels Avenue Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends 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 June 2019, and is currently designated as "Neighborhood Mixed Use" and "Urban Low Density Residential" in the future land use component of the plan. The requested "C-1" and "NC" base zoning districts are 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.
3. **Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is an appropriate zoning district for the property and surrounding area. The proposed “C-1 S” Light Commercial District with a Specific Use Authorization for a Commercial Parking Lot and "NC S" Neighborhood Commercial District with a Specific Use Authorization for a Commercial Parking Lot are also appropriate zoning districts. Two of the lots are existing parking lots for the abutting church, which is only used during typical church services. Due to the commercial uses along North St. Mary’s with limited space for parking, the church is requesting to rezone the property for commercial parking lots to service the adjacent businesses and reduce on-

street parking along the surrounding residential streets. The "S" Specific Use Authorization would hold the development to a site plan, and any deviation could warrant potential 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 any public policy.

Relevant Goals and Policies of the Comprehensive Plan may include:

- GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
- GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
- GCF P12: Develop programs to encourage and incentivize adaptive reuse.
- GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Relevant Goals and Strategies of the Midtown Area Regional Center Plan may include:

- Goal 4: Support Unique, Mixed Activity Areas
 - o Foster an appropriate mix, density, and orientation of land uses in each part of Midtown to maintain the character of unique places, such as the North St. Mary's Street music culture.
 - o Accommodate growth while preserving distinct characteristics of each part of Midtown and providing thoughtful transitions between uses.
 - o Support unique district cultures in Midtown, such as Lesbian, Gay, Bisexual, Transgender, Queer, Plus cultures on Main Street.
- Goal 6: Improve Pedestrian- and Transit-Oriented Retail and Services
 - o Encourage building maintenance and renovations to beautify commercial corridors and create walkable, active street areas next to buildings.
- Goal 11: Grow Unique Destinations
 - o Support other thriving retail, entertainment, and cultural destinations that already have a community and successful identity, such as the Pearl District, St. Mary's Street, and Main Street.

- 6. Size of Tract:** The 0.76 acre site is of sufficient size to accommodate the proposed commercial development.
- 7. Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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 may, under the right set of

circumstances and conditions be acceptable in certain specific locations. The applicant is rezoning to develop a Commercial Parking Lot.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.