



City of San Antonio

Agenda Memorandum

Agenda Date: February 7, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:
ZONING CASE Z-2022-10700246

SUMMARY:
Current Zoning: "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "IDZ-1 HL AHOD" Limited Intensity Infill Development Zone Historic Landmark Airport Hazard Overlay District with uses permitted for a Food Service Establishment

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: February 6, 2023. This case was postponed from the December 6, 2022. This case was continued from the October 18, 2022 hearing and the November 15, 2022 hearing.

Case Manager: Elizabeth Steward, Planner

Property Owner: Mary Chu and Andrew Weissman, The Hughes House LLC

Applicant: Andrew Weissman

Representative: Andrew Weissman

Location: 312 West Courtland Place

Legal Description: Lot 9, Lot 10, and the west 2.83 feet of Lot 8, Block 5, NCB 1902

Total Acreage: 0.39

Notices Mailed**Owners of Property within 200 feet:** 9**Registered Neighborhood Associations within 200 feet:** The Tobin Hill Community Association**Applicable Agencies:** Planning Department, Fort Sam Houston Military Base**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. The property was rezoned by Ordinance 83331, dated December 22, 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 converted to the current "R-6" Residential Single-Family District.

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:** O-2 S**Current Land Uses:** School- The Koehler House**Direction:** South**Current Base Zoning:** R-6 S**Current Land Uses:** Community College**Direction:** East**Current Base Zoning:** O-2**Current Land Uses:** Community College Parking Lot**Direction:** West**Current Base Zoning:** R-6**Current Land Uses:** Community College**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.

The "HL" Historic Landmark, "HS" Historic Significant or "HE" Historic Exceptional overlay district designation signifies 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. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

Special District Information: N/A

Transportation

Thoroughfare: West Courtland Place

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Belknap Street

Existing Character: Local

Proposed Changes: None Known

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 20, 4

Traffic Impact: The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is not required.

Parking Information: The minimum parking for a Bar/ Tavern is 1 per 100 sf of GSF. IDZ-1 waives the minimum parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” Residential Single-Family District allows a 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: “IDZ-1” Limited Intensity Infill Development Zone District allows rezoning requests up to 18 units per acre, and uses permitted in “C-1”. 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 proposed “IDZ-1” would allow a Food Service Establishment and the “HL” adds a Historic Overlay Designation.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within the Midtown Regional Center and within ½ a mile from the New Braunfels Avenue Premium Transit Corridor and San Pedro 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 Regional Center Plan and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “IDZ-1” 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, including retail, entertainment venues, and office space within a few blocks’ radius. The adjacent properties are composed of schools and churches and the applicant would need to obtain an Alcohol Variance for the distance from the subject property to the Great Hearts K-12 school at the Northwest corner from the property.
3. **Suitability as Presently Zoned:** The existing “R-6” Residential Single Family District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-1 HL” Limited Intensity Infill Development Zone District with uses permitted for a Food Service Establishment and the addition of the Historic Overlay designation is an appropriate zoning for the property and surrounding area. The request only allows the one use of Food Service to a prescribed site plan and adds a Historic Overlay. The use would also permit keeping and revitalizing of a historic structure and add to the character of the neighborhood by creating a new culinary destination in the Midtown area.
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 objectives of the Midtown Regional Center Plan.
 - **GCF Goal #4:** Sustainable infill and mixed-use development provide walkable and bikeable destinations for all residents.
 - **GCF Goal #5:** Growth and city form support improved livability in existing and future neighborhoods.
 - **GCF Policy #9:** Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
 - **Goal 1:** Preserve Midtown’s Distinct Character - Preserve Midtown’s essential character-defining elements: the diversity of people and the unique character of individual places and neighborhoods; maintain buildings with exemplary historic character; highlight the history and heritage of the area and share stories through urban design, public art, and cultural events.
 - **Goal 10:** Pursue Transformative Projects - Elevate Midtown’s aesthetic appeal, stimulate economic growth, and meet local needs by transforming vacant properties and older buildings through reuse, redevelopment, or new development.

- **Goal 11:** Grow Unique Destinations - 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.
 - **Land Use Recommendation #4:** Land Use decisions should support the continued use or adaptive reuse of existing structures that contribute to the essential character of Midtown.
 - **Economic Development Recommendation #2:** Support and grow awareness of Midtown as a destination for commerce, arts, culinary, and cultural attractions and activities.
 - **Economic Development Strategy #2.5:** Encourage the development of amenities and services that complement the cultural resources in Midtown, such as hospitality, dining, retail, trails, parks, and plazas.
6. **Size of Tract:** The 0.39 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, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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

This property has received a Request for Review of Historic Significance, and the Historic & Design Review Commission recommended a finding of Historic Significance on September 21, 2022. Any future exterior modifications will require approval from the Office of Historic Preservation during this process. Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. OHP staff will continue to work with the property owners on the designation case.

This case was postponed last year so that the historic overlay could be added when the applicant was ready to proceed with the rezoning.