



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 19, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 5

**SUBJECT:**

ZONING CASE Z-2023-10700216 HL

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 HL MLOD-2 MLR-2 AHOD" Commercial Historic Landmark Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 19, 2023

**Case Manager:** Mark Chavez, Zoning Planner

**Property Owner:** Adrian Najera

**Applicant:** Office of Historic Preservation

**Representative:** Office of Historic Preservation

**Location:** 3403 South Flores Street

**Legal Description:** Lot 8, North 8 feet of Lot 9, Block 6, NCB 2659

**Total Acreage:** 0.1630

**Notices Mailed****Owners of Property within 200 feet:** 35**Registered Neighborhood Associations within 200 feet:** Lone Star**Applicable Agencies:** Office of Historic Preservation, Lackland AFB**Property Details**

**Property History:** The subject property was 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 85113, dated November 7, 1996, to "B-2" Business District. With the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "C-2" Commercial District converted to the current "C-2" Commercial District.

**Code & Permitting Details:**

There is no relevant code enforcement or permitting history for the subject property.

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

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "C-3"**Current Land Uses:** Liquor Store**Direction:** East**Current Base Zoning:** "C-3"**Current Land Uses:** Bar**Direction:** South**Current Base Zoning:** "C-2"**Current Land Uses:** Single-Family Residential**Direction:** West**Current Base Zoning:** "R-6"**Current Land Uses:** Single-Family Residential**Overlay District Information:**

The "MLOD-2" Lackland Military Lighting Overlay District does not restrict permitted uses but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

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.

### **Transportation**

**Thoroughfare:** South Flores Street

**Existing Character:** Minor

**Proposed Changes:** None known.

**Thoroughfare:** East Glen Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 43, 44 & 243

**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 current use and no proposed use for the vacant building. Any further traffic requirements will be evaluated at the Building Permit phase.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Current 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.

Proposed Zoning: “C-1 HL” 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.

The “HL” adds a Historic Overlay.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center but is located within a half-mile of the San Pedro, New Braunfels Avenue, and Fredericksburg Premium Transit Corridors.

**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 Downtown Regional Center Land Use Plan and is currently designated as “Neighborhood Mixed Use” in the land use component of the plan. Application of the historic landmark is consistent with the goals and objectives of the adopted plan.
- 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 rezoning is for the application of historic designation and does not change the current use or base zoning designation.
- 3. Suitability as Presently Zoned:** The proposed rezoning is for the application of “HL” Historic Landmark Overlay designation and does not change the current base zoning designation.
- 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 objective. Relevant Goals and Policies of the SA Tomorrow Downtown Regional Center Land Use Plan:
  - Goal 1: Preserve and Enhance Downtown’s Authenticity
  - 1.2: Respect historic and culturally significant places, including significant examples of more contemporary and modern architecture.
  - 1.4: Encourage adaptive reuse.
- 6. Size of Tract:** The 0.1630 acre site is of sufficient size to accommodate the existing commercial development and historic designation.
- 7. Other Factors:** The request for landmark designation was initiated by the owner. The application is for an “HL” Historic Landmark designation for a “C-1” Commercial zoned property.

On August 2, 2023, the Historic and Design Review Commission (HDRC) approved a Finding of Historic Significance, identifying the property as historically significant based on criteria

listed in Section 35-607 (b) of the Unified Development Code. The criteria identified as being applicable to the subject property are specified below. HDRC concurred with the applicant that 920 West Mistletoe met UDC criterion [35-607(b)3], [35-607(b)5], and [35-607(b)13] for a finding of historic significance in the process of seeking designation as a local historic landmark.

In order to be eligible for landmark designation, a property must meet at least three of the criteria; 3403 South Flores Street meets three.

5. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; as an Art Deco style two -part block commercial building with character-defining features including the mosaic tile work and decorative panels, frieze moldings, large display windows, picture windows, and clerestory windows, and a sidewalk canopy.

11. It is distinctive in character, interest or value; strongly exemplifies the cultural, economic, social, ethnic or historical heritage of San Antonio, Texas or the United States; as an Art Deco style two-part block commercial building with character-defining features including the mosaic tile work and decorative panels, frieze moldings, large display windows, picture windows, and clerestory windows, and a sidewalk canopy.

13. It bears an important and significant relationship to other distinctive structures, sites, or areas, either as an important collection of properties or architectural style or craftsmanship with few intrusions, or by contributing to the overall character of the area according to the plan based on architectural, historic, or cultural motif; as one of a collection of neighborhood Chinese Grocery stores that operated in the early twentieth century in San Antonio.