

- 20.** ZONING CASE Z-2024-10700325 (Council District 1): A request for a change in zoning from "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted for Entertainment Venue (Indoor), Theater - Indoor with Two or Less Screens and/or Stages, and Studio - Fine or Performing Arts to "IDZ-2 NCD-2 AHOD" Medium Intensity Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and 16 Dwelling Units on Lots 9 and 10, Block 8, NCB 1891, located at 725 and 741 West Ashby Place. Staff recommends Approval. (Alexa Retana, Zoning Planner, 210-207-8062, [Alexa.Retana@sanantonio.gov](mailto:Alexa.Retana@sanantonio.gov), Development Services Department)



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 18, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**  
ZONING CASE Z-2024-10700325

**SUMMARY:**

**Current Zoning:** "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted for Entertainment Venue (Indoor), Theater - Indoor with Two or Less Screens and/or Stages, and Studio - Fine or Performing Arts

**Requested Zoning:** "IDZ-2 NCD-2 AHOD" Medium Intensity Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and 16 Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 18, 2025

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** San Antonio Little Theater Inc.

**Applicant:** Scene One, LLC

**Representative:** Patrick Christensen

**Location:** 725 and 741 West Ashby Place

**Legal Description:** Lots 9 and 10, Block 8, NCB 1891

**Total Acreage:** 0.3953

### **Notices Mailed**

**Owners of Property within 200 feet:** 30

**Registered Neighborhood Associations within 200 feet:** Alta Vista Neighborhood Association and San Antonio Texas District One Residents Association

**City-Wide Community Organizations:** T.H.U.G.G.I.N for Christ, Women in Film & Television San Antonio, NES Foundation, and Lifeline Overeaters Anonymous Community Organizations

**Applicable Agencies:** Parks and Recreation, Office of Historic Preservation, Planning Department

### **Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned “F” Local Retail District. The property was rezoned by Ordinance 86704, dated September 25, 1997, the eastern property was rezoned to “B-2” Business District and the western property was rezoned to “B-2NA” Non-Alcoholic Sales Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the eastern property zoned “B-2” Business District converted to “C-2” Commercial District and the western property zoned “B-2NA” Non-Alcoholic Sales Business District converted to “C-2NA” Commercial Non-Alcoholic Sales District. The eastern property was rezoned by Ordinance 2008-09-18-0867, dated September 18, 2008, to “O-1 IDZ” Office Infill Development Zone Overlay District. The property was rezoned by Ordinance 2019-04-04-0284, dated April 4, 2019, to the current “IDZ” Infill Development Zone District.

### **Code & Permitting History:**

INV-MSQ-INV24-2880000321 – Water Concerns Investigation – April 2024

CWO-INV-CWO-24-26101117 – Code Work Order – April 2024

CWO-INV-CWO-24-26101116 – Code Work Order – April 2024

INV-ZCD-24-3140003228 – Zoning UDC Investigation – November 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-2NA, RM-4, R-6, RM-6

**Current Land Uses:** Residential Dwellings

**Direction:** South

**Current Base Zoning:** RM-4

**Current Land Uses:** San Pedro Springs Park

**Direction:** East

**Current Base Zoning:** O-1, R-6, RM-5, RM-4

**Current Land Uses:** General Contractor, Church, Residential Dwellings, Swimming Pool Repair Service

**Direction:** West

**Current Base Zoning:** C-2, C-1, RM-6, R-6

**Current Land Uses:** Florist, Residential Dwellings

**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 Alta Vista Neighborhood Conservation District (NCD-2) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

**Special District Information:**

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

**Transportation**

**Thoroughfare:** West Ashby Place

**Existing Character:** Collector

**Proposed Changes:** None known

**Thoroughfare:** North Flores Street

**Existing Character:** Local

**Proposed Changes:** None known

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

**Routes Served:** 20, 2, 202, 3, 4, 204

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

**Parking Information:** The parking requirements for commercial and residential uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

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

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "IDZ" Infill Development Zone District provides flexible standards for the development and reuse of underutilized parcels within a qualifying area of the city. Although this district still exists, it is no longer approved for new properties.

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 uses permitted by the "IDZ-2" base zoning district would allow for uses permitted in "C-1" Light Commercial District and 16 Dwelling Units

**FISCAL IMPACT:**

None.

**PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:**

The subject property is located within the Midtown Regional Center and is within ½ a mile of the New Braunfels Avenue Metro Premium Plus 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 Neighborhoods Neighborhood Plan, adopted October 2000, and is currently designated as "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 "IDZ" Infill Development Zone District, "C-2" Commercial District, "O-1" Office District, "RM-4" Residential Mixed District, "R-6" Residential Single-Family District, and "RM-6" Residential Mixed District.
3. **Suitability as Presently Zoned:** The existing "IDZ" Infill Development Zone District with uses permitted for Entertainment Venue (Indoor), Theater - Indoor with Two or Less Screens and/or Stages, and Studio - Fine or Performing Arts is an appropriate zoning for the property and surrounding area. The proposed "IDZ-2" Medium Intensity Infill Development Zone District with uses permitted in "C-1" Light Commercial District and 16 Dwelling Units is also appropriate. The subject property is situated within a mix of commercial and residential developments and located less than half a mile from San Pedro Avenue with adequate access

to public transportation routes. A mixed-use development would be supported by the existing area. The development will be held to a prescribed site plan, and any deviation from the approved site plan could warrant additional Council consideration.

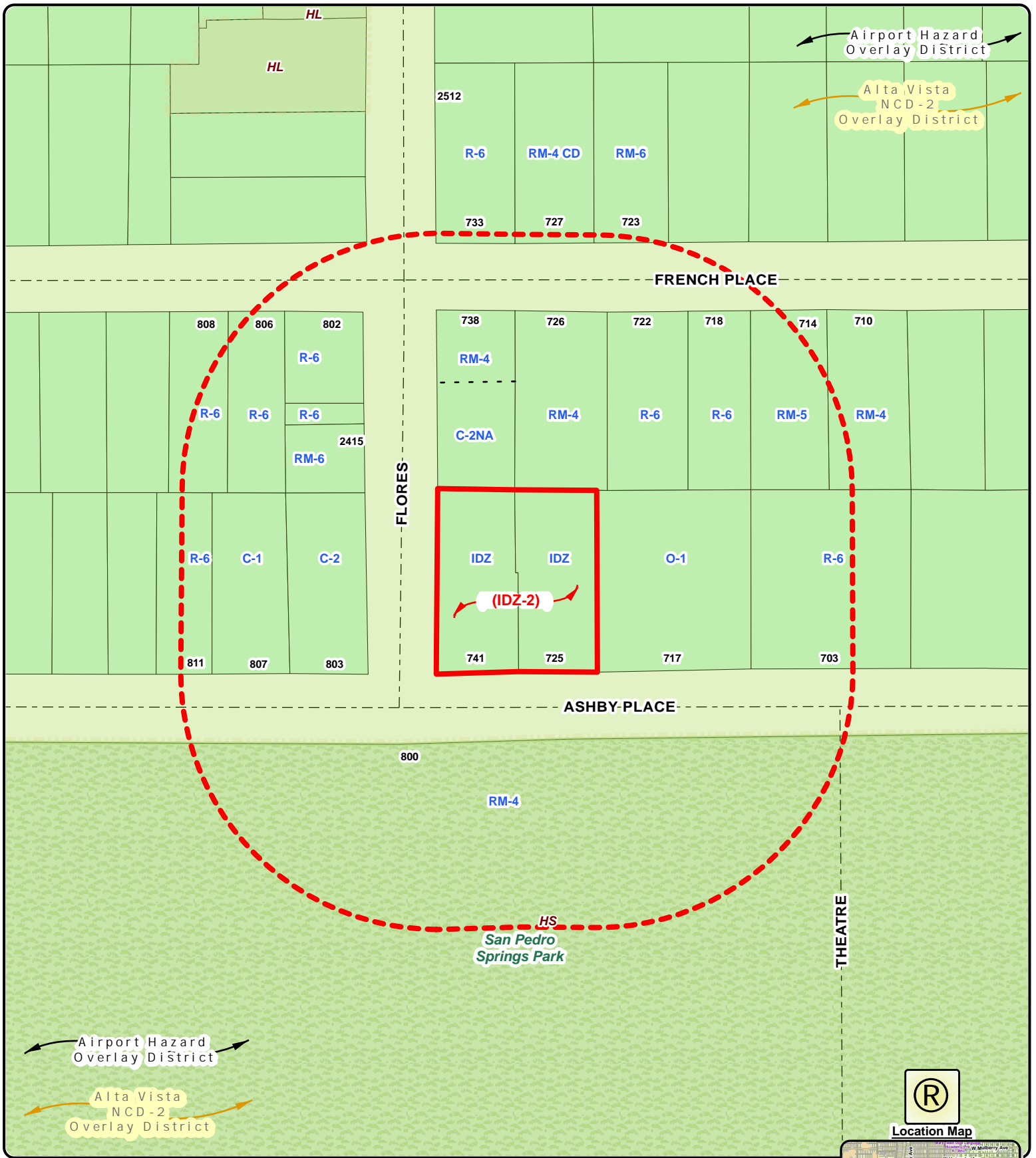
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does not appear to conflict with public policy. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan:
  - GCF Goal 4: Sustainable 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 8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers and transit corridors.
  - GCF Policy 14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Relevant Goals and Objectives from the Midtown Neighborhoods Neighborhood Plan may include:

- Goal 1: Economic Development - Revitalize and enhance the neighborhoods' historic commercial centers.
  - Objective 1.1: Historic Character - Preserve the historic character of the neighborhood commercial centers along Blanco, Fredericksburg, Hildebrand, Flores, and Hildebrand.
  - Objective 1.3: Business Development - Attract new neighborhood-friendly, locally owned, sustainable businesses that will meet the neighborhood's daily needs, build on our base of "mom and pop" businesses and bring new vitality to the neighborhood's commercial centers.
  - Goal 2: Housing Preserve and revitalize the neighborhoods' unique mix of quality housing.
6. **Size of Tract:** The subject property is 0.3953 acres, which can reasonably accommodate the proposed commercial development.
  7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial and residential uses. The applicant is proposing 16 units.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also

see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.



## Zoning Case Notification Plan

**Case Z-2024-10700325**

Council District: 1

School District: San Antonio I.S.D.

Scale: 1" = 100 Feet



Legend	
Subject Property(ies)	<span style="border: 2px solid red; padding: 2px;"> </span>
200 Ft. Notification Area	<span style="border: 2px dashed red; padding: 2px;"> </span>
Single Family Residential	.1R
Current Land Use Description	TEXT
Current Zoning	TEXT
Requested Zoning Change	(TEXT)

Creek / River Region	<span style="background-color: #e0f0ff; border: 1px solid black;"> </span>
City Limits	<span style="background-color: #e0ffe0; border: 1px solid black;"> </span>
Corridor Overlay	<span style="background-color: #fff0e0; border: 1px solid black;"> </span>
ERZD Region	<span style="background-color: #e0ffe0; border: 1px solid black;"> </span>
MLOD Region	<span style="background-color: #e0ffe0; border: 1px solid black;"> </span>
AHOD Region	<span style="background-color: #e0ffe0; border: 1px solid black;"> </span>



**Location Map**



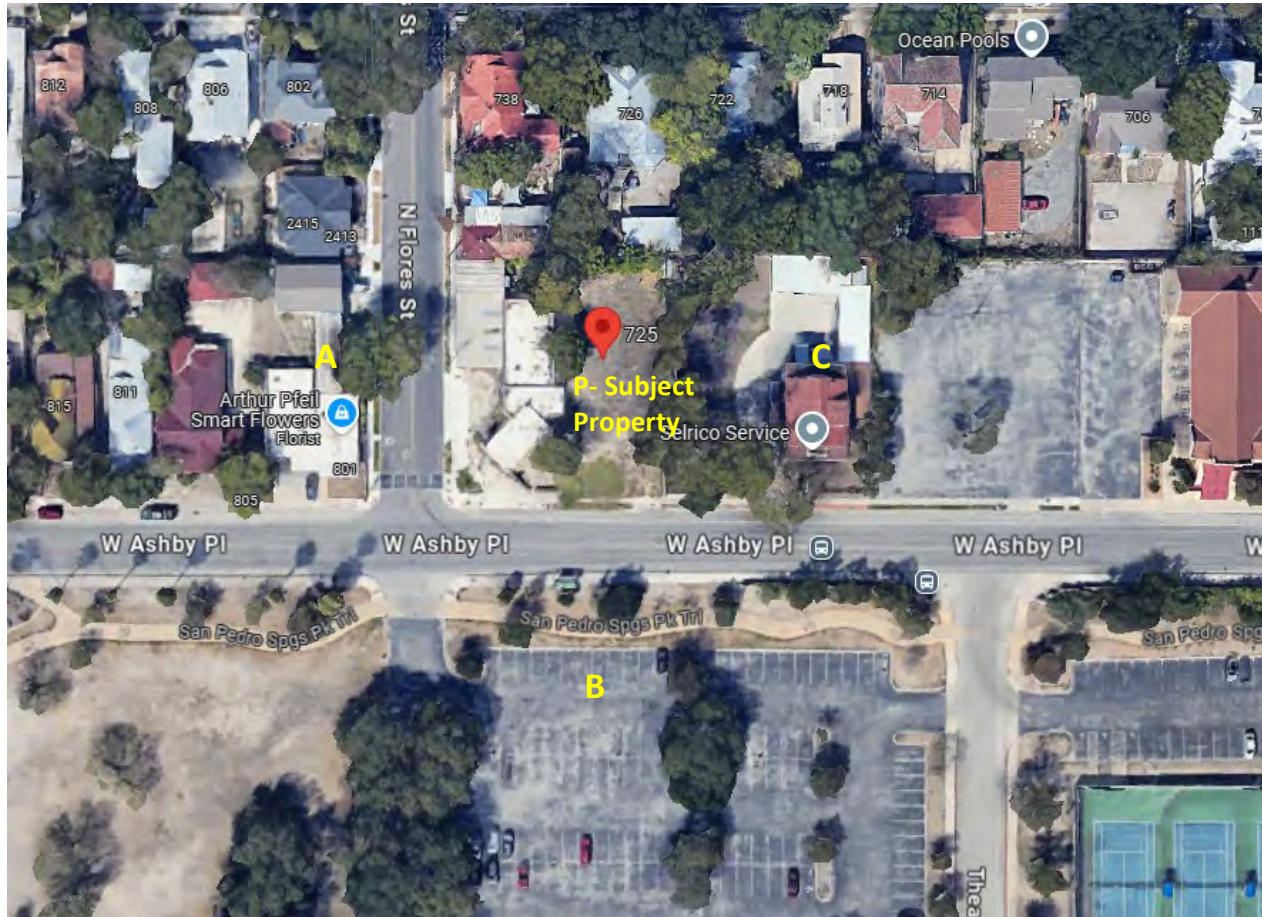
**Note: All Current and Requested Zoning include: AHOD / NCD-2 Overlay Districts**







**741/725 W Ashby**  
Ground Plan Comparison Form



Address:	Setback to Structure	Setback to Porch (If Applicable)	Setback to Left Property Line:	Setback to Right Property Line:	Building Height:
<b>P:</b>	<b>15'</b>	<b>NA</b>	<b>15'</b>	<b>5'</b>	<b>1-2 stories</b>
A: 801 W Ashby	~12'	NA	~15'	~0'	1 commercial story
B: 2200 N Flores St	Vacant (Parking)				
C: 335 W Poplar	~36.5'	~26.5'	~32'	~5'	2.5 stories