



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** August 4, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**  
ZONING CASE Z-2019-10700296

**SUMMARY:**

**Current Zoning:** “C-1” Light Commercial District, “C-2” Commercial District, “C-3NA” General Commercial Nonalcoholic Sales District, “C-3NA CD” General Commercial Nonalcoholic Sales District with a Conditional Use for Outside Storage and Warehousing, “I-1” General Industrial District, “MF-33” Multi-Family District, “MF-33 S” Multi-Family District with a Specific Use Authorization for a Daycare, “O-2” High-Rise Office District, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for a Professional Office, “RM-4” Residential Mixed District, “RM-4 CD” Residential Mixed District with a Conditional Use for Art Gallery

**Requested Zoning:** “C-1” Light Commercial District, “C-1 CD” Light Commercial District with a Conditional Use for a Gunsmith, “C-2 CD” Commercial District with a Conditional Use for Auto Glass, “C-2NA” Commercial Nonalcoholic Sales District, “IDZ-1” Limited Intensity Infill Development Zone District with uses permitted in “C-1” Light Commercial District and “RM-4” Residential Mixed District, “R-3” Single-Family Residential District, “R-3 CD” Single-Family Residential District with a Conditional Use for four dwelling units, “R-4 ” Residential Single-Family District, “R-4 CD” Residential Single-Family District with a Conditional Use for two dwelling units, “R-5” Residential Single-Family District, “R-5 CD” Residential Single-Family District with a Conditional Use for two dwelling units, “R-5 CD” Residential Single-Family District with a Conditional Use for three dwelling units, “R-6” Residential Single-Family District, “R-6 CD” Residential Single-Family District with a Conditional Use for a Medical Clinic, “R-6 CD” Residential Single-Family District with a Conditional Use for a Professional Office, “R-6 CD” Residential Single-Family District with a Conditional Use for two dwelling units, “R-6 CD” Residential Single-Family District with a Conditional Use for three dwelling units, “R-6 CD” Residential Single-Family District with a Conditional Use for four dwelling units, “RM-4” Residential Mixed District, “RM-5” Residential Mixed District, “RM-6” Residential Mixed

District, “RM-6 CD” Residential Mixed District with a Conditional Use for a Noncommercial Parking Lot

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 7, 2022

**Case Manager:** Forrest Wilson, Senior Planner

**Property Owner:** Multiple Owners

**Applicant:** Development Services Department

**Representative:** Development Services Department

**Location:** Beacon Hill Large Area Rezoning

**Legal Description:** NCB 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1843, 1844, 1845, 1846, 1847, 1848, 1850, 1851, 1852, 1853, 1854, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1894, 1926, 1927, 1928, 2937, 3030, 3031, 6407, 6408, 6410, 6521, 6522, 6523 generally bounded by West Gramercy Place to the North, San Pedro Avenue to the East, West Ashby Place to the South, and Fredericksburg Road to the Southeast.

**Total Acreage:** 198.053

**Notices Mailed**

**Owners of Property within 200 feet:** 1,108

**Registered Neighborhood Associations within 200 feet:** Beacon Hill Area Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject properties were part of the original 36 square miles of the City of San Antonio and originally zoned “B” Residence District and “D” Apartment District. Several properties were rezoned by Ordinance 86704, dated September 25, 1997 to various zoning districts as part of large area rezoning. The Beacon Hill Area Neighborhood Conservation District was adopted by Ordinance 101890, dated December 15, 2005.

**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:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial

**Direction:** East

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial

**Direction:** South

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial

**Direction:** West

**Current Base Zoning:** Multiple Zoning Districts

**Current Land Uses:** Single-Family, Multi-Family, Commercial

**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 Beacon Hill Neighborhood Conservation District (NCD-5) 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:**

None.

**Transportation**

**Thoroughfare:** Beacon Hill Neighborhood

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Traffic Impact:** TIA report is not required.

**Parking Information:** There is no parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** "C-1" Light Commercial District, "C-2" Commercial District, "C-3NA" General Commercial Nonalcoholic Sales District, "C-3NA CD" General Commercial

Nonalcoholic Sales District with a Conditional Use for Outside Storage and Warehousing, "I-1" General Industrial District, "MF-33" Multi-Family District, "MF-33 S" Multi-Family District with a Specific Use Authorization for a Daycare, "O-2" High-Rise Office District, "R-6" Residential Single-Family District, "R-6 CD" Residential Single-Family District with a Conditional Use for a Professional Office, "RM-4" Residential Mixed District, "RM-4 CD" Residential Mixed District with a Conditional Use for Art Gallery

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**FISCAL IMPACT:**

There is no fiscal impact.

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

The subject property is located within the Midtown Regional Center, but not within a 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 Neighborhoods Plan. The requested base zoning districts are consistent with the future land use designations.
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:** Current zoning of the properties in the subject area is a mixture of “R-6” Residential Single-Family District, “MF-33” Multi-Family District, “RM-4” Residential Mixed-Use District and “C-2” Commercial District. The subject area is within the Midtown Neighborhood Plan. No plan amendments required. The 2001 adoption of the Unified Development Code converted all 1938 and 1965 zoning districts to the current zoning districts, in turn, this conversion created some non-conforming uses. The rezoning strategy includes, field and data analysis conducted by staff to make appropriate zoning recommendations based on the current use of properties. Various residentially zoned properties are conditionally zoned for two (2) or more dwelling units as part of the rezoning process to avoid non-conforming uses. Properties were removed from the strategy if already appropriately zoned with their current use.
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 proposed change of zoning does not appear to conflict with the following goals and strategies of the Midtown Neighborhoods Plan:  
  
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 San Pedro  
Goal 2: Housing: Preserve and revitalize the neighborhoods’ unique mix of quality housing
  - Objective 2.2: Housing Character
  - Maintain the historic character of the neighborhood’ housing while building on the increased demand for area homes to attract reinvestment by new families.
6. **Size of Tract:** Approximately 198.053 acres.
7. **Other Factors:** City Council approved a resolution on Nov. 9, 2017 (2017-11-09-0042R), directing the Development Services Department to initiate a large area rezoning to appropriate zoning districts for property located in the Beacon Hill Neighborhood. The goal is to align zoning with the current use of properties in the area, consistent with the adopted Midtown Neighborhoods Plan. Throughout the past few decades many areas of the center city have had ongoing concerns regarding zoning inconsistencies. These inconsistencies were the result of the code conversion from the “old” zoning code, which utilized an A-J tiered system of zoning, to the new system we use today. The Large Area Rezoning project is meant to correct these nonconforming issues.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.