



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1757  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 2/21/2019  
**Title:** ZONING CASE # Z-2018-900005 (Council District 1): Ordinance amending the Zoning District Boundary from "O-2 AHOD" Office High-Rise Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lot 13, Block 8, NCB 9121, located at 5101 San Pedro Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 2018-900008)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2019-02-21-0153

Date	Ver.	Action By	Action	Result
2/21/2019	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2018-900005  
(Associated Plan Amendment 2018-900008)

**SUMMARY:**

**Current Zoning:** "O-2 AHOD" Office High-Rise Airport Hazard Overlay District

**Requested Zoning:** "C-1 AHOD" Light Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 15, 2019

**Case Manager:** Mary Morales-Gonzales, Senior Planner

**Property Owner:** Nizar Rafati

**Applicant:** Ald Remodeling Company

**Representative:** Ald Remodeling Company

**Location:** 5101 San Pedro Avenue

**Legal Description:** Lot 13, Block 8, NCB 9121

**Total Acreage:** 0.2179

**Notices Mailed**

**Owners of Property within 200 feet:** 34

**Registered Neighborhood Associations within 200 feet:** Northmoor, Olmos Park Terrace

**Applicable Agencies:** None.

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned "B" Residence District by Ordinance 922, dated March 5, 1942. The property was rezoned from "B" to "O-1" Office District by Ordinance 50322, dated January 25, 1979. The property converted from "O-1" to the current "O-2" High-Rise office District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**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:** "O-2"

**Current Land Uses:** Office Building, Law Office, Retail Center, Single-Family Residences

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Office, Vacant Lot, Single-Family Residences

**Direction:** South

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-Family Residences, Learning Center

**Direction:** West

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single-Family Residences

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** San Pedro Avenue

**Existing Character:** Primary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** West Mariposa

**Existing Character:** Local Road  
**Proposed Changes:** None Known

**Public Transit:** VIA route 4 and 204 are across the street from the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:**  
The minimum parking required is dependent on the commercial use of the property.

**ISSUE:**  
None.

**ALTERNATIVES:**  
Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “O-2” High-Rise Office District which permits for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

**FISCAL IMPACT:**  
None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**  
The subject property is not within a Regional Center, but is along the San Pedro Premium Transit Corridor.

**RECOMMENDATION:**  
**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval, pending the Plan Amendment.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**  
The property is located within the North Central Neighborhoods Community Plan, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-1” is not consistent with the future land use designation. The applicant is requesting a land use amendment from “Low Density Residential” to “Community Commercial” to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval.

**2. Adverse Impacts on Neighboring Lands:**  
Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**  
The current “O-2” base zoning district is not appropriate for the property or the surrounding area. The “C-1” base zoning is an appropriate base zoning district.

#### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

#### **5. Public Policy:**

The proposed rezoning does appear to conflict with the goals and objectives of the North Central Neighborhoods Community Plan. The requested rezoning is a more appropriate base zoning for the property which is located on San Pedro Avenue, a primary arterial. The current “O-2” base zoning is the result of a code conversion that is not compatible with the current development along San Pedro Avenue.

Relevant Goals and Objectives from the North Central Neighborhoods Community Plan:

GOAL 3: Maintain and preserve the quality of the existing residential and commercial properties through the encouragement of rehabilitation and code compliance.

Objective 3.1: Promote the maintenance of existing properties.

#### **6. Size of Tract:**

The subject property measures 0.2179 of an acre which currently accommodates a commercial building with parking.

#### **7. Other Factors:**

The applicant originally requested “C-2” Commercial District, but in discussions with constituents and the Council Office the applicant agreed to “C-1” Light Commercial instead. The request went before the Zoning Commission on December 18, 2018 and was recommended for approval, but was later found to be outside the acceptable change in range. Therefore, the item was republished and renoticed for the amended request and is returning to the Zoning Commission.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.