



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4737  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 8/20/2020  
**Title:** ZONING CASE Z-2020-10700133 (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "O-1 AHOD" Office Airport Hazard Overlay District on the north 132.5 feet of Lot 14, Block 64, NCB 7194, located at 1115 Fresno Street. Staff and Zoning Commission recommend Approval.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Ordinance 2020-08-20-0566

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**  
Zoning Case Z-2020-10700133

**SUMMARY:**  
**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "O-1 AHOD" Office Airport Hazard Overlay District

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** July 21, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Joe A. Gamez Law Firm, PC

**Applicant:** Joe A. Gamez Law Firm, PC

**Representative:** Carmen Gamez

**Location:** 1115 Fresno Street

**Legal Description:** the north 132.5 FT of Lot 14, Block 64, NCB 7194

**Total Acreage:** 0.1515

**Notices Mailed**

**Owners of Property within 200 feet:** 25

**Registered Neighborhood Associations within 200 feet:** Central Los Angeles Heights

**Applicable Agencies:** San Antonio International Airport

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1845 on May 13, 1940 and was originally zoned "B" Residence District. The subject property converted from "B" Residence District to "R-4" Residential Single-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 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:** "R-4"

**Current Land Uses:** Single Family Residential

**Direction:** East

**Current Base Zoning:** "C-2NA"

**Current Land Uses:** Plumbing Supply Store

**Direction:** West

**Current Base Zoning:** "O-2"

**Current Land Uses:** Law Firm

**Direction:** South

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

**Current Land Uses:** Single Family Residential

**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:** Fresno Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

Route Served: 2, 202, 651

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** The minimum parking requirement for an office building is 1 parking space per 375 square foot of Gross Floor Area

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property maintaining its current zoning of “R-4” Residential Single-Family District

**Current:** The “R-4” Residential Single-Family District provides for the establishment of Single-Family dwellings (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, as well as foster family homes and public and private schools.

**Proposed:** “O-1” Office Districts provide for the establishment of small and medium office uses, banks, worship facilities, public and private schools, employment agencies, library, medical clinic, optician, interior decorator studio. The maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited.

**FISCAL IMPACT:**

None.

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

The property is not part of a regional center and is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval.

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

**1. Consistency:**

The subject property is located within the Greater Dellview Area Community Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “O-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 request constitutes a rezoning from “R-4” Residential Single-Family District to the requested “O-1” Office District, which would allow for more Neighborhood and Community Commercial uses.

**3. Suitability as Presently Zoned:**

The current “R-4” Residential Single-Family District is not an appropriate zoning for this Commercial and Office adjacent site. The requested “O-1” Office District would be a more suitable zoning for the law firm who owns this parcel and the neighboring parcel zoned “O-2” Office District.

#### **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 intended rezoning from “R-4” is in the spirit of the plan’s goals of Neighborhood and Community Commercial services.

Economic Development

Goal 2: Neighborhood Commercial Revitalization by promoting the growth and development of local businesses and create attractive and viable commercial environments that draw new customers and diverse businesses

Goal 3: Proactively promote best urban planning practices and ensure commercial environments that are clean, safe, attractive, compliant with city codes, and respectful of adjacent neighborhood residential uses

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

The subject property is 0.1515 acres, which could reasonably accommodate commercial uses.

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

The applicant currently owns and operates a law firm next the property and wishes to operate a meeting room or conference room in the existing building on site. The remainder of the site is paved and is currently used for parking by the business employees and patrons.

“O-1” Office District has a maximum building size of 10,000 square feet for individual buildings, while “C-1” Commercial building size is limited to 5,000 square feet. By these standards, the “O-1” zoning district is recommended to adequately utilize their building options onsite.