



# City of San Antonio

## Agenda Memorandum

**File Number:**18-3040

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**Agenda Item Number:** Z-14.

**Agenda Date:** 5/17/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 5

**SUBJECT:**

Zoning Case Z2018134 S

**SUMMARY:**

**Current Zoning:** "O-2 AHOD" High Rise Office Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bar and/or Tavern Without Cover Charge 3 or More Days Per Week

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 3, 2018

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Jose Manuel Martinez

**Applicant:** Alvin G. Peters

**Representative:** Alvin G. Peters

**Location:** 4910 South Flores Street

**Legal Description:** Lot 5 and 6, Block 10, NCB 7754

**Total Acreage:** 0.334

**Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 23, 1944, established by Ordinance 1391 and was zoned “J” Commercial District. One parcel’s zoning changed to “O-1” Office District and the other parcel changed to “R-2” Two Family Residence District, established by Ordinance 83932, dated April 11, 1996. Upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001) the current “O-2” High Rise Office District converted from the previous “O-1” base zoning district and the current “RM-4” Residential Mixed District converted from the previous “R-2” base zoning district.

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

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3, R-6

**Current Land Uses:** Saloon, Single-Family Residential

**Direction:** East

**Current Base Zoning:** RM-4, R-6

**Current Land Uses:** Duplex, Vacant Lot, Single-Family Residential

**Direction:** South

**Current Base Zoning:** C-3NA

**Current Land Uses:** Ice Station

**Direction:** West

**Current Base Zoning:** MF-33

**Current Land Uses:** Multi-Family Uses

**Overlay and Special District Information:** 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:** South Flores Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** East Edmonds Avenue

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There is a bus stop directly in front of the subject property on South Flores Street along Bus Routes 243 and 43.

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

**Parking Information:** A Bar/Tavern requires a minimum of one (1) parking space per 100-square-feet of the Gross Floor Area (GFA) and a maximum of one (1) parking space per 75-square-feet of the GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. “O-2” districts provide 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. “RM-4” districts allows uses such as single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center nor located within a half (½)-mile of 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 South Central Community Plan and is currently designated as “Mixed Use” in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted land use plan.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found 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. The applicant is requesting the rezoning in order to provide outdoor seating for the neighboring bar.

**3. Suitability as Presently Zoned:**

The existing “RM-4” and “O-2” base zoning districts are not appropriate for the surrounding area. The subject property fronts South Flores Street which is lined with commercial businesses. A residential district is not appropriate along the commercial corridor, and the property zoned “O-2” is not the appropriate size of tract for a high-rise office district.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The adjacent property has an existing bar, and the applicant is requesting a Specific Use Authorization to provide an outdoor

area for the business.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective. The future land use is “Mixed Use,” and the requested zoning is consistent with the plan.

**6. Size of Tract:**

The 0.334 acre site is of sufficient size to accommodate the proposed development. The subject property consists of a vacant lot and parking area.

**7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.