



# City of San Antonio

## Agenda Memorandum

**File Number:**18-6004

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**Agenda Item Number:** 7.

**Agenda Date:** 11/6/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 7

**SUBJECT:**

Zoning Case Z2018331

**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:** November 6, 2018. This case is continued from the October 16, 2018 hearing.

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Academy of Careers and Technology, Inc

**Applicant:** Tonja D. Nelson

**Representative:** Tonja D. Nelson

**Location:** 5300 Heath Road

**Legal Description:** 0.229 acres out of NCB 18917

**Total Acreage:** 0.229

**Notices Mailed**

**Owners of Property within 200 feet:** 6

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

**Applicable Agencies:** Leon Creek Greenway

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1989 and was zoned Temp "R-1" Temporary Single-Family Residential. Ordinance 71383 rezoned the property to "O-1" Office District. Upon the adoption of the unified Development Code, the previous "O-1" converted to the current "O-2" High Rise Office District.

**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:** O-2

**Current Land Uses:** Charter School

**Direction:** East

**Current Base Zoning:** O-2

**Current Land Uses:** Charter School

**Direction:** South

**Current Base Zoning:** C-3R CD

**Current Land Uses:** Church

**Direction:** West

**Current Base Zoning:** O-2, C-2

**Current Land Uses:** Vacant Lots

**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:** Heath Road

**Existing Character:** Local Road

**Proposed Changes:** None Known

**Public Transit:** VIA route 609 is within walking distance of 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:** Assisted Living- 0.3 spaces per room minimum.

**ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. "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.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center, but is within the Huebner- Grissom Premium Transit Corridor.

**Staff Analysis and Recommendation:** Staff recommends Approval.

**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 Northwest Community Plan, and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-1” Light Commercial base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The applicant proposes to use the property for an assisted living facility. Assisted living facilities in commercial districts are restricted to no more than sixteen (16) residents. Only the land surrounding the structure currently on site is being rezoned, and will allow for the light commercial use.

**3. Suitability as Presently Zoned:**

The current “C-1” base zoning district is appropriate for the subject property’s location. High rise office is not appropriate on a local road within close proximity to residential uses, because of the unlimited height potential.

**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 rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property totals 0.229 acres in size, which reasonably accommodates the uses permitted in “C-1” Light Commercial District.

**7. Other Factors:**

None.