City of San Antonio

Agenda Memorandum

File Number:19-1285

Agenda Item Number: 10.

Agenda Date: 1/15/2019

In Control: Zoning Commission

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: Nyliah Acosta, 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 recommends 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.