



# City of San Antonio

## Agenda Memorandum

**File Number:** 19-5643

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**Agenda Item Number:** 10.

**Agenda Date:** 8/6/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z-2019-10700140  
(Associated Plan Amendment PA-2019-11600049)

**SUMMARY:**

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

**Requested Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 6, 2019

**Case Manager:** Michael Pepe, Planner

**Property Owner:** It's The Climb Ventures, LLC

**Applicant:** Cynthia Puente

**Representative:** Cynthia Puente

**Location:** 3201 South Gevers Street

**Legal Description:** Lots 29-31, the south 116 feet of Lot 14, Lot 15, and Lot 16, Block 9, NCB 2947

**Total Acreage:** 0.724 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 50

**Registered Neighborhood Associations within 200 feet:** Highland Park Neighborhood Association

**Applicable Agencies:** None.

### **Property Details**

**Property History:** The property is part of the Original 36 Square miles of San Antonio. The property was originally zoned "E" Office District. Under the 2001 Unified Development code, established by Ordinance 93881, dated May 3, 2001, the property zoned "E" Office District was converted to "O-2" High Rise Office District.

**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:** "I-1"

**Current Land Uses:** Food Service Establishment

**Direction:** South

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

**Current Land Uses:** Retail Store

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Vacant

**Direction:** West

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

**Current Land Uses:** Single Family Dwelling, Vehicle Storage

### **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:** Gevers

**Existing Character:** Collector

**Proposed Changes:** None Known

**Thoroughfare:** Channing

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 20, 515

**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 requirement for a day care center is 1 per 375 square foot of gross floor area, and the parking minimum requirement for an antique store is 1 per 300 square foot of gross floor area.

**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. 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 located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Highlands Community Plan and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the future land use designation. The applicant submitted a Plan Amendment to “Community Commercial.” Staff and Planning Commission recommend Approval.

**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 requested rezoning constitutes a down-zoning from the intense high rise office uses currently permitted on the property. A “C-2” zoning designation would be consistent with the use and character of the collector corridor of South Gevers Street.

**3. Suitability as Presently Zoned:**

The current “O-2” High-Rise Office District is not an appropriate zoning for the property and surrounding area. The proposed “C-2” would be similar to properties to the north and south along the corridor and have less potential impacts than the current “O-2”.

#### **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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Highlands Community Plan:

1.2.6 Actively recruit desirable types of businesses to the area.

1.4.3 Preserve the small town feeling of the neighborhood commercial areas by encouraging neighborhood friendly businesses, such as hamburger eateries and ice cream shops, within walking distance of residences. Ensure pedestrian access to these areas and general neighborhood walkability by planting street trees and advocating for sidewalks and traffic calming devices.

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

The subject property is 0.724 acres, which could reasonably accommodate commercial uses.

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

The applicant proposes retail uses such as daycare and/or antique mall.