



# CASE NO: Z2005128

## Staff and Zoning Commission Recommendation - City Council

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**Date:** August 11, 2005

**Zoning Commission Meeting Date:** June 07, 2005

**Council District:** 1

**Ferguson Map:** 582 D4

**Applicant:** Fortunato & Maria Abello

**Owner:** Fortunato & Maria Abello

**Zoning Request:** From MF-33 C NCD-2 Multi-family with Conditional Use for a Medical Office  
Neighborhood Conservation District to O-1 NCD-2 Office Neighborhood Conservation  
District

**Property Location:** Lots 16 through 20, Block 22, NCB 6601  
3015 San Pedro

**Proposal:** For general office use on second floor and medical office use on first floor

**Neighborhood Association:** Alta Vista Neighborhood Association

**Neighborhood Plan:** Midtown Neighborhood Plan

**TIA Statement:** Traffic Impact Analysis not required

**Staff Recommendation:**

Inconsistent.

Property currently has land use category of Medium Density Residential. A land use plan amendment to Mixed Use was heard by the Planning Commission June 8, 2005 and they recommended approval.

Approval, pending land use plan amendment.

A two story office building currently exists on the subject property. Rezoning the property from MF-33 to O-1 should not intensify use to the point that it detracts from the nearby residential uses, however it would allow full use of existing building. The building has existed for at least 26 years (1979 according to Bexar County Appraisal). The building is approximately 9,000 square feet in overall size with a building footprint of 4,500 square feet. Parking exists in front of the building, along San Pedro, and should not disturb surrounding single and multi-family uses.

The zoning on the property was "D" Downtown District when the building was constructed which did allow office uses.

**Zoning Commission Recommendation:**

Approval

**CASE MANAGER :** Trish Wallace 207-0215

**VOTE**

**FOR** 0

**AGAINST** 0

**ABSTAIN** 0

**RECUSAL** 0

**Z2005128**

**ZONING CASE NO. Z2005128** – June 7, 2005

Applicant: Fortunato & Maria Abello

Zoning Request: "MF-33" C "NCD-2" Multi Family Neighborhood Conservation  
District 2 with Conditional Use for a Medical Office to "O-1" "NCD-2"  
Office Neighborhood Conservation District 2.

Maria Christian Abello, 9111 Mount Royal, stated they are currently operating a medical office at the 2-story structure. They are requesting this change in zoning to allow for the 2<sup>nd</sup> floor be use for office use. She stated her intentions are to rent out for office use. She stated they are unable to use the second floor as part of their medical office due to not being able to comply with the Americans Disability Act (ADA). She stated she has met with the representative from the neighborhood association who are in support of this request.

Staff stated there were 28 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and Alta Vista Neighborhood Association is in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

**FINDING OF CONSISTENCY OF THE MASTER PLAN**

**COMMISSION ACTION**

The motion was made by Commissioner Peel and seconded by Commissioner Dutmer to find inconsistency with the neighborhood plan.

(A verbal vote was taken)

**AYES: Martinez, Robbins, Dutmer, Dixon, Sherrill, McAden, Stribling, Peel**

**NAYS: None**

**THE MOTION CARRIED**

**COMMISSION ACTION**

The motion was made by Commissioner Peel and seconded by Commissioner McAden to recommend approval.

**Z2005128**

1. Property is located on Lots 16 through 20, Block 22, NCB 6601 at 3015 San Pedro.
2. There were 28 notices mailed, 0 returned in opposition and 1 in favor.
3. Staff recommends approval.

**AYES: Martinez, Robbins, Dutmer, Dixon, Sherrill, McAden, Stribling, Peel**

**NAYS: None**

**THE MOTION CARRIED**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.