



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1290

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 1/17/2019

**Title:** ZONING CASE # Z-2018-900021 (Council District 10): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 2.136 acres out of NCB 8695, located at 323 Rainbow Drive. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Field Notes, 5. Ordinance 2019-01-17-0095

Date	Ver.	Action By	Action	Result
1/17/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z-2018-900021

**SUMMARY:**

**Current Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 4, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Robert Osborne

**Applicant:** David Komet

**Representative:** David Komet

**Location:** 323 Rainbow Drive

**Legal Description:** 2.136 acres out of NCB 8695

**Total Acreage:** 2.136

**Notices Mailed**

**Owners of Property within 200 feet:** 63

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

**Applicable Agencies:** Fort Sam Houston

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned "A" by Ordinance 18115, dated September 25, 1952. The property converted from "A" to the current "R-5" Residential Single-Family 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:** "MF-33", "R-5", "RM-4"

**Current Land Uses:** Apartments, Single-Family Residences

**Direction:** East

**Current Base Zoning:** "MF-33", "R-5", "RM-6"

**Current Land Uses:** Apartments, Condominiums, Duplexes

**Direction:** South

**Current Base Zoning:** "R-5", "RM-6"

**Current Land Uses:** Single-Family Residence, Duplexes

**Direction:** West

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Apartments, Church

**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:** Eisenhower Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Rainbow Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 505 and 647 are within walking distance of the property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) may be required.

**Parking Information:**

The minimum parking required for Apartments is 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “R-5” which permits single-family dwellings (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The property is not located within a Regional Center. The property is located within ½ of a mile of the Austin Highway 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 Northeast Inner Loop Neighborhood Plan and is currently designated as “High Density Residential” in the future land use component of the plan. The requested “MF-33” 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.

**3. Suitability as Presently Zoned:**

The current “R-5” Residential Single-Family District is appropriate zoning for the property and surrounding area. The requested “MF-33” is also an appropriate base zoning.

**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 is consistent with the goals and objectives of the Northeast Inner Loop Neighborhood Plan. The plan encourages diverse housing options that coexist with the established neighborhoods. The property is located north of Austin Highway, along Eisenhower Road, a secondary arterial. The area is largely developed as multi-family and the future land use classification is “High Density Residential”. The requested

“MF-33” base zoning is appropriate due to the location of the property, the future land use classification, and current development of the area.

Relevant Goals and Objectives of the Northeast Inner Loop Neighborhood Plan:

Goal 1: Housing and Neighborhood Character Enhance and preserve the housing and distinctive character of the Northeast Inner Loop neighborhoods.

Objective 1.1: Housing Character and Development Maintain the distinctive character of the neighborhoods’ housing. Build upon the diversity of old and new existing housing that includes single family as well as multi-family (condos, town homes, duplexes and small apartments).

Objective 1.3: Neighborhood Appearance Maintain and improve the physical appearance and landscaping of the neighborhoods.

**6. Size of Tract:**

The subject property is 2.136 acres which could accommodate a multi-family development.

**7. Other Factors:**

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request.