



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-2872

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/4/2019

**Title:** ZONING CASE # Z-2019-10700031 (Council District 10): Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "PUD R-4 AHOD" Planned Unit Development Residential Single-Family Airport Hazard Overlay District on 24.16 acres out of NCB 15688, generally located south of the intersection of Stahl Road and Higgins Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Field Notes, 6. Ordinance 2019-04-04-0296

Date	Ver.	Action By	Action	Result
4/4/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z-2019-10700031

**SUMMARY:**

**Current Zoning:** "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "PUD R-4 AHOD" Planned Unit Development Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 19, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Bart Swider

**Applicant:** Bart Swider

**Representative:** Brown and Ortiz, P.C.

**Location:** Generally located south of the intersection of Stahl Road and Higgins Road

**Legal Description:** 24.16 acres out of NCB 15688

**Total Acreage:** 24.16 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 77

**Registered Neighborhood Associations within 200 feet:** El Chaparral Fertile Valley Neighborhood Association, Northern Hills Neighborhood Association and Pepperridge Neighborhood Association

**Applicable Agencies:** None

**Property Details**

**Property History:** The property was annexed by the City of San Antonio in 1974 with Ordinance 44492 and originally zoned as "R-3" Apartment Residence. The subject property converted from "R-3" Apartment District and converted to "MF-33" Multi-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001. A portion of the property was rezoned from "MF-33 AHOD" to "C-2 CD S AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for an Athletic Field and a Specific Use Authorization for Meeting Facilities on a 2.409 acre tract of land out of NCB 15688 located at 4512 and 4516 Stahl Road. 0.935 acres out of NCB 15688 from "C-2" Commercial District to "MF-33" Multi-Family District by ordinance 2006-09-07-1052 on September 7, 2006.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3R", "C-2NA"

**Current Land Uses:** Wetmore Community Cemetery, Vacant Lot

**Direction:** East

**Current Base Zoning:** "R-6", "C-2", "R-4 PUD"

**Current Land Uses:** Residential Single Family, Church,

**Direction:** South

**Current Base Zoning:** "R-6", "RM-4", MF-33"

**Current Land Uses:** Single Family Residential, Multi-Family Residential uses and a gas station

**Direction:** West

**Current Base Zoning:** "C-2 CD", "R-6", "C-2"

**Current Land Uses:** Landscape Supply Sales, Residential Single Family, Vacant lots

**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:** Classen Road

**Existing Character:** Secondary Arterial Type A 86'

**Proposed Changes:** none

**Thoroughfare:** Stahl Road

**Existing Character:** Secondary Arterial Type A 86'

**Proposed Changes:** none

**Public Transit:** VIA bus routes are within walking distance of the subject property. Routes served: 641

**Traffic Impact:** A Traffic Impact Analysis (TIA) determination cannot be determined at this time.

**Parking Information:**

The parking for "PUD R-4" is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is not located within a Regional Center or corridor buffer.

**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 San Antonio International Airport Vicinity Plan and is currently designated "Low Density Residential" and "Medium Density Residential" in the future land use component of the plan. The requested "PUD R-4" is consistent with the future land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The surrounding properties are zoned "MF-33", "R-4 PUD", "RM-4", "C-3R", "C-2" and "R-6" which is compatible with the proposed zoning.

**3. Suitability as Presently Zoned:**

The current "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport

Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District are appropriate zoning for the property and surrounding area. The proposed "PUD R-4" is a suitable zoning district which supports the San Antonio Airport Vicinity Plan and housing options for the area.

#### **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 San Antonio International Airport Vicinity Plan.

- **Goal I: Protect the quality of life of residents including health, safety and welfare**
  - Objective 1.1 Protect integrity of existing residential neighborhoods and prevent excessive noise pollution and other airport hazards
  - Objective 1.3 Enhance quality of the environment in existing neighborhoods that are impacted by airport noise

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

The subject property is 24.16 acres, which adequately supports planned unit development of residential single-family uses.

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

The "PUD" Planned Unit Development provides flexibility in the planning and construction or development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties. PUDs are meant:

- To encourage the preservation and enhancement of natural amenities and cultural resources; to protect the natural features of a site that relate to its topography, shape and size; and to provide for a minimum amount of open space.
- To provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure.
- To encourage infill projects and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography.
- To allow for private streets and gated entrances for new subdivisions.

There are approximately 101 residential units proposed.