



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-5227

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 7/16/2019

**Title:** ZONING CASE Z-2019-10700129 (Council District 1): A request for a change in zoning from "MF-33 HL AHOD" Multi-Family Historic Landmark Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on the north 165.5 feet of the west 50 feet of Lot 11, Block 30, NCB 329, located at 319 East Evergreen Street. Staff recommends Approval. (Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. HDRC Designation Removal, 2. Location map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700129

**SUMMARY:**

**Current Zoning:** "MF-33 HL AHOD" Multi-Family Historic Landmark Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 16, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Evergreen Town Homes, LLC.

**Applicant:** Diego Sanchez

**Representative:** Diego Sanchez

**Location:** 319 East Evergreen

**Legal Description:** the north 165.5 feet of the west 50 feet of Lot 11, Block 30, NCB 329, located at 319 East Evergreen Street

**Total Acreage:** 0.140

### **Notices Mailed**

**Owners of Property within 200 feet:** 22

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association

**Applicable Agencies:** Fort Sam Houston Airforce Base, Office of Historic Preservation

### **Property Details**

**Property History:** The property was annexed by the City of San Antonio in 1905 and was part of the original 36 square miles of the 1936 City Limits and was originally zoned “D” Apartment District. The property converted to “R-3” Multiple family residence district by Ordinance 33412 on June 28, 1965. Following the 1965 conversion, the property converted to the current “MF-33” Multi-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 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:** “RM-4”

**Current Land Uses:** Residential single-family homes

**Direction:** South

**Current Base Zoning:** “C-2”

**Current Land Uses:** Metropolitan Hospital Pavilion

**Direction:** East

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Vacant lot

**Direction:** West

**Current Base Zoning:** “C-1”

**Current Land Uses:** Two-story single family home

### **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.

"HL"

A number of surrounding properties carry the “HS” Historic Significant landmark designation, signifying the historic architectural character or cultural significance of the structure or location. Historic Landmark designations do not affect the possible uses of the property, but do regulate the exterior aesthetic of the structure. Building plans and permit applications will be subject to review by the Office of Historic

Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

**Transportation**

**Thoroughfare:** East Evergreen

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 204 and 5

**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 multi-family is 1.5 spaces 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 HL AHOD”. Multi-family dwelling, single family dwelling (detached, attached or townhouse), two-family dwelling, three -family dwelling, four-family dwelling, row-house or zero lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Midtown Regional Center and is located within ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Midtown Area Regional Center Plan and is currently designated as “Medium Density Residential” in the future land use component of the plan. The current base zone district is consistent with the future land use designation.

**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.

**3. Suitability as Presently Zoned:**

The current “MF-33” Multi-Family District is an appropriate zoning for the property and surrounding area and

is consistent with the future land use designation.

#### **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 Midtown Regional Center Area Plan:

##### **Goal 5: Broaden Housing Choices**

- Offer a range of housing types and price-points to meet the diverse needs of residents such as, seniors, students, families, and others.
- Conserve existing affordable housing and the existing diverse mix of housing types, and expand affordable housing options.
- Rehabilitate or redevelop housing that is in poor condition.
- Focus most new housing development closer to multimodal transportation corridors.

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

The subject property is 0.140 acres, which could reasonably accommodate multi-family residential uses.

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

The applicant received approval from HDRC on May 15, 2019 to remove the historic designation from the property.

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.