



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-3668

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 7/7/2020

**Title:** (Continued from 06/02/2020) ZONING CASE Z-2020-10700059 (Council District 1): A request for a change in zoning from "O-2 AHOD" High Rise Office Airport Hazard Overlay District, "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional use for a Construction Trades Contractor Facility to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on the north 112-feet of the south 231.67-feet of Lot 32 and Lot 34 and the south 113.85-feet of Lot 32 and Lot 34, NCB 11880, located at 538 Everest Street. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600014). (Justin Malone, Planner 210-207-0157, Justin.Malone@sanantonio.gov; Development Services Department).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 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-2020-10700059  
(Associated Plan Amendment PA-2020-11600014)

**SUMMARY:**

**Current Zoning:** "O-2 AHOD" High Rise Office Airport Hazard Overlay District, "C-3NA AHOD" General Commercial Airport Hazard Overlay District and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Uses for a Construction Trades Contractor Facility

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 7, 2020. This case is continued from the June 2, 2020 zoning hearing.

**Case Manager:** Justin Malone, Planner

**Property Owner:** Stephen Horton

**Applicant:** Brian Jaffe

**Representative:** Vickrey & Associates, Inc.

**Location:** 538 Everest Street

**Legal Description:** the North 112-feet of the South 231.67-feet of Lot 32 and Lot 34 and the South 113.85-feet of Lot 32 and Lot 34, NCB 11880

**Total Acreage:** 2.022 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 11

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 25, 1952, established by Ordinance 18115 and it was zoned "A" Single-Family District. The North 112 feet of the South 231.67 feet of Lot 34 and the North 112 feet of the South 231.67 feet of Lot 32 was rezoned on December 13, 1990 from "A" Single-Family District to "O-1" Office District and "B-3NA" Business District, Nonalcoholic Sales by Ordinance 72782. The remaining portions of the property converted from "A" Single-Family District to "R-5" Residential Single-Family District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001. On April 19, 2012, 1.006 acres out of Lots 32 and 34 were rezoned from "R-5" Residential Single-Family District to "C-2 CD" Commercial District with a Conditional Use for a Constructions Trade Contractor Facility by Ordinance 2012-04-19-0306.

**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:** "R-5"

**Current Land Uses:** Office/Residential

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "MF-50"

**Current Land Uses:** Residential

**Direction:** South

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

**Current Land Uses:** Residential, Retail Store, and Daycare Center

**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:** Everest Street

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 647, 9, and 209

**Thoroughfare:** East Sandalwood Lane

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 647, 9, and 209

**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 parking minimum for a multifamily development is 1 space per unit.

**ISSUE:**

None.

**FISCAL IMPACT:**

None.

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

The property is within a Regional Center but is not within 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 San Antonio International Airport Vicinity Land Use Plan and is currently designated as "Mixed Use" in the future land use component of the plan, which only allows up to "MF-25". The requested "MF-33" base zoning district is not consistent with the adopted land use designation, therefore the applicant is seeking a Plan Amendment to "High Density Residential". Staff and the 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 surrounding properties are zoned “MF-50” and “MF-33”. The proposed “MF-33” is also a good transition between the “R-5” zoning and uses to the north of the subject site and the “C-3” zoning to the south.

## **3. Suitability as Presently Zoned:**

The current “R-5”, “O-2”, “C-3NA”, and “C-2 CD” zonings are appropriate for the property and surrounding area. The proposed “MF-33” is consistent with the development in the area. Properties have gradually been rezoned and developed for multi-family and commercial uses, which is consistent with the desired land use plan.

## **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 Land Use Plan:

- Goal 1: 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
- Goal 4: Develop a comprehensive set of development applications and incentives to implement the land use plan and continue noise attenuation efforts

Objective 4.1- Implement a zoning overlay ordinance to address noise attenuation for new construction within the noise contours

The proposed rezoning maintains the goals and objectives of the San Antonio Airport Vicinity Plan to enhance the housing quality and options in existing neighborhoods that are impacted by airport functions and noise.

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

The subject property is 2.022 acres, which could reasonably accommodate high density residential uses.

## **7. Other Factors:**

Multi-family at a density of 33 units/acre would allow up to 67 units.

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.