



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-8126

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 11/3/2020

**Title:** ZONING CASE Z-2019-10700295 (Council District 1): A request for a change in zoning from "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District, "R-5 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District, "R-6 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District, "MF-18 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District, "MF-25 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District, "MF-33 CD H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Professional Office, "NC H AHOD" Neighborhood Commercial Monte Vista Historic Airport Hazard Overlay District, "NC CD H AHOD" Neighborhood Commercial Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Designer Resale Boutique, "C-1 H AHOD" Light Commercial Monte Vista Historic Airport Hazard Overlay District, "C-2 H AHOD" Commercial Monte Vista Historic Airport Hazard Overlay District, "C-3 H AHOD" General Commercial Monte Vista Historic Airport Hazard Overlay District, "C-3NA H AHOD" General Commercial Nonalcoholic Sales Monte Vista Historic Airport Hazard Overlay District, "C-3R H AHOD" General Commercial Restrictive Alcohol Sales Monte Vista Historic Airport Hazard Overlay District, "O-1 H AHOD" Office Monte Vista Historic Airport Hazard Overlay District, "O-2 H AHOD" High Rise Office Monte Vista Historic Airport Hazard Overlay District, "IDZ H AHOD" Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-25" Multi-Family District, "IDZ H AHOD" Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "O-1" Office District, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Bed & Breakfast, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Professional Office, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Two Dwelling Units, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Three Dwelling Units, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Four Units, "RM-4 H AHOD" Residential Mixed Monte Vista Historic Airport Hazard Overlay District and "RM-4 H HS AHOD" Residential Mixed Monte Vista Historic Significant Airport Hazard Overlay District to "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Foster Group Home, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Nursing Facility, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Professional Office, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Four Units, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Gift Shop, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Three Dwelling Units, "R-4 CD H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Two Units, "R-4 CD H HS AHOD" Residential Single-Family Monte Vista Historic Significant Airport Hazard Overlay District with a Conditional Use for a Professional Office, "R-4 S H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Specific Use Authorization for a Bed & Breakfast, "R-4 S H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Specific Use Authorization for a Childcare Daycare Center, "NC H AHOD" Neighborhood Commercial

Monte Vista Historic Airport Hazard Overlay District, "NC CD H AHOD" Neighborhood Commercial Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Designer Resale Boutique, "C-1 H AHOD" Light Commercial Monte Vista Historic Airport Hazard Overlay District, "C-1 CD H AHOD" Light Commercial Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Transitional Home, "C-2 H AHOD" Commercial Monte Vista Historic Airport Hazard Overlay District, "MF-18 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District, "MF-25 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District, "MF-33 CD H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Professional Office, "MF-33 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District, "IDZ H AHOD" Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "O-1" Office District and "IDZ H AHOD" Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with uses permitted in "O-1" Office District and "C-2" Commercial District, "O-1 H AHOD" Office Monte Vista Historic Airport Hazard Overlay District, "O-1 CD H AHOD" Office Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Beauty Salon (All Overlay Districts to Remain) on 138.437 acres out of NCB 1702, 1703, 1704, 1705, 1706, 1721, 1723, 1724, 1768, 1769, 1770, 1834, 1835, 1836, 1837, 1838, 1839, 1858, 1859, 1860, 1861, 1862, 1863, 1880, 1881, 1883, 1884, 1885, 1887, 1888, 1889, 2952, 2953, 3001, 3002, 3058, 3059, 3085, 3086, 3087, 3088, 3089, 3090, and 6884, generally bounded by West Mulberry Avenue to the North, US Highway 281 North to the East, East Huisache Avenue, Trail Street and West Ashby Place to the South, and San Pedro Avenue to the West. Staff recommends Approval.(Mary Lovell, Senior Planner (210) 207-5550, maryelizabeth.lovell@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CCR, 2. Resolution, 3. MV NE FINAL 10.19.20, 4. MV NW FINAL 10.19.20, 5. MV SW FINAL 10.19.20

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-2019-10700295

**SUMMARY:**

**Current Zoning:** "R-4 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District, "R-5 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District, "R-6 H AHOD" Residential Single-Family Monte Vista Historic Airport Hazard Overlay District, "MF-18 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District, "MF-25 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District, "MF-33 H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District, "MF-33 CD H AHOD" Multi-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Professional Office, "NC H AHOD" Neighborhood Commercial Monte Vista Historic Airport Hazard Overlay District, "NC CD H AHOD" Neighborhood Commercial Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Designer Resale Boutique, "C-1 H AHOD" Light Commercial Monte Vista Historic Airport Hazard Overlay District, "C-2 H AHOD" Commercial Monte Vista Historic Airport Hazard Overlay District, "C-3 H AHOD" General Commercial Monte Vista Historic Airport Hazard Overlay District, "C-3NA H AHOD"

General Commercial Nonalcoholic Sales Monte Vista Historic Airport Hazard Overlay District, “C-3R H AHOD” General Commercial Restrictive Alcohol Sales Monte Vista Historic Airport Hazard Overlay District, “O-1 H AHOD” Office Monte Vista Historic Airport Hazard Overlay District, “O-2 H AHOD” High Rise Office Monte Vista Historic Airport Hazard Overlay District, “IDZ H AHOD” Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and “MF-25” Multi-Family District, “IDZ H AHOD” Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and “O-1” Office District, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Bed & Breakfast, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Professional Office, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Two Dwelling Units, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Three Dwelling Units, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Four Units, “RM-4 H AHOD” Residential Mixed Monte Vista Historic Airport Hazard Overlay District and “RM-4 H HS AHOD” Residential Mixed Monte Vista Historic Significant Airport Hazard Overlay District

**Requested Zoning:** “R-4 H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Foster Group Home, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Nursing Facility, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Professional Office, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Four Units, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Gift Shop, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Three Dwelling Units, “R-4 CD H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Two Units, “R-4 CD H HS AHOD” Residential Single-Family Monte Vista Historic Significant Airport Hazard Overlay District with a Conditional Use for a Professional Office, “R-4 S H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Specific Use Authorization for a Bed & Breakfast, “R-4 S H AHOD” Residential Single-Family Monte Vista Historic Airport Hazard Overlay District with a Specific Use Authorization for a Childcare Daycare Center, “NC H AHOD” Neighborhood Commercial Monte Vista Historic Airport Hazard Overlay District, “NC CD H AHOD” Neighborhood Commercial Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Designer Resale Boutique, “C-1 H AHOD” Light Commercial Monte Vista Historic Airport Hazard Overlay District, “C-1 CD H AHOD” Light Commercial Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Transitional Home, “C-2 H AHOD” Commercial Monte Vista Historic Airport Hazard Overlay District, “MF-18 H AHOD” Multi-Family Monte Vista Historic Airport Hazard Overlay District, “MF-25 H AHOD” Multi-Family Monte Vista Historic Airport Hazard Overlay District, “MF-33 CD H AHOD” Multi-Family Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for Professional Office, “MF-33 H AHOD” Multi-Family Monte Vista Historic Airport Hazard Overlay District, “IDZ H AHOD” Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with uses permitted in “C-2” Commercial District and “O-1” Office District and “IDZ H AHOD” Infill Development Zone Monte Vista Historic Airport Hazard Overlay District with uses permitted in “O-1” Office District and “C-2” Commercial District, “O-1 H AHOD” Office Monte Vista Historic Airport Hazard Overlay District, “O-1 CD H AHOD” Office Monte Vista Historic Airport Hazard Overlay District with a Conditional Use for a Beauty Salon (All Overlay Districts to Remain)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 3, 2020

**Case Manager:** Mary Lovell, Senior Planner

**Property Owner:** Multiple

**Applicant:** City of San Antonio

**Representative:** City of San Antonio

**Location:** Multiple Properties generally bounded by West Mulberry Avenue to the North, U.S. Highway 281 North to the East, East Huisache Avenue, Trail Street and West Ashby Place to the South, and San Pedro Avenue to the West.

**Legal Description:** 138.437 acres out of NCB 1702, 1703, 1704, 1705, 1706, 1721, 1723, 1724, 1768, 1769, 1770, 1834, 1835, 1836, 1837, 1838, 1839, 1858, 1859, 1860, 1861, 1862, 1863, 1880, 1881, 1883, 1884, 1885, 1887, 1888, 1889, 2952, 2953, 3001, 3002, 3058, 3059, 3085, 3086, 3087, 3088, 3089, 3090, and 6884.

**Total Acreage:** 138.437

**Notices Mailed**

**Owners of Property within the rezoning boundary:** 450

**Owners of Property within 200 feet of a proposed rezoning:** 269

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Community Association, Monte Vista Historical Association, Alta Vista Neighborhood Association

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The subject area is part of the original 36 square miles of the City of San Antonio and many of the subject properties were zoned “D” Apartment District, “B” Residence District and “O-1” Office District. Upon adoption of the 2001 Unified Development Code, the “D” Apartment District properties were converted to “MF-33” Multi-Family District, the “B” Residence District properties were converted to “R-4” Residential Single-Family District and the “O-1” Office District properties were converted to “O-2” High-Rise Office District. Other properties have been rezoned in this area over the years.

**Topography:** The property does not include any abnormal physical features such as slope.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C-1” “C-2” “MF-33” “R-4”

**Current Land Uses:** Residential, Commercial

**Direction:** East

**Current Base Zoning:** “C-1” “C-2” “MF-33” “R-4”

**Current Land Uses:** Residential, Commercial

**Direction:** South

**Current Base Zoning:** “C-1” “C-2” “MF-33” “R-4” “O-2

**Current Land Uses:** Residential, Commercial, Office

**Direction:** West

**Current Base Zoning:** “C-1” “C-2” “C-3” “MF-33” “R-4”

**Current Land Uses:** Residential, Commercial

**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.

“H”

The surrounding properties are located in the Monte Vista Historic District. Historic districts do not regulate use of the property but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. 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**

**Thoroughfares:** North Main Avenue, McCullough Avenue, San Pedro Avenue, East Craig Place, Belknap, West Ashby, East & West Woodlawn Avenue, East & West Huisache Avenue, East & West Magnolia Avenue, East & West Mistletoe Avenue, East & West Ashby Place, Carleton Court, East & West French Place, West Mulberry Avenue, Queens Crescent Street, Maverick Street, West Russell Place, Howard Street, and Kings Court.

**Existing Character:** Primary Arterial B, Secondary Arterial B, and Local Roads

**Proposed Changes:** None

**Public Transit:** Bus Routes 3, 4, 5, 20, and 90 are available within walking distance of the subject properties.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. There is no additional traffic generated by the proposed rezoning.

**Parking Information:** There is no additional parking requirement created by the proposed rezoning.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject properties retaining the present zoning district designations.

**FISCAL IMPACT:**

None.

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

The property is within a regional center and is 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 not located within an adopted land use plan requiring consistency with land use designations.

**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 requested zoning will align the zoning designation to the current uses.

**3. Suitability as Presently Zoned:**

Much of the area zoning designations resulted from a zoning conversion. Staff has proposed zoning designations that are in alignment with the current use.

**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 fulfills the City Council Resolution 2017-11-09-0042R approved on November 9, 2017.

**6. Size of Tract:**

The subject property is 138.437 acres.

**7. Other Factors:**

This rezoning request is the result of a City Council Resolution initiated by Council District 1 on November 9, 2017.

Community meetings were held on October 30 and November 3, 2019, and after receiving input from the neighborhood, additional community meetings were held on October 7 and October 8, 2020. (Community meetings were scheduled for March 19 and 21, 2020 but were cancelled and delayed due to the pandemic.)