



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6279

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**Agenda Item Number:** Z-2.

**Agenda Date:** 11/5/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2020-10700185 CD

(Associated Plan Amendment PA-2020-11600053)

**SUMMARY:**

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

**Requested Zoning:** "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Construction Trades Contractors Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 15, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Vic Nickelson

**Applicant:** Vic Nickelson

**Representative:** Patrick Christensen

**Location:** 542 and 602 Everest Avenue and the 530 block of Everest Avenue

**Legal Description:** The south 112 feet of the north 335.12 feet of Lot 32, the south 112 feet of the north 223.12 feet of Lot 32, the south 112 feet of the north 335.12 feet of Lot 34, the south 112 feet of the north 223.12 feet of Lot 34, NCB 11880

**Total Acreage:** 2.026 acres

**Notices Mailed**

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

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

**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property was annexed into the city by Ordinance 18115, dated September 25, 1952 and was originally zoned "A" Temporary Residence District. It was rezoned to "A" Single Family Residence District by Ordinance 24621, dated March 7, 1957. The previous "A" district converted to the current "R-5" Single-Family Residential District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 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:** "R-5"

**Current Land Uses:** Single-family dwellings

**Direction:** East

**Current Base Zoning:** "MF-33" and "RM-4"

**Current Land Uses:** Apartments

**Direction:** South

**Current Base Zoning:** "O-2," "C-3NA," and "C-2 CD"

**Current Land Uses:** Landscape business, single-family dwellings, psychic, apartments

**Direction:** West

**Current Base Zoning:** "C-1" and "R-5"

**Current Land Uses:** Apartments, single-family dwellings

### **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 Avenue

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes:** Bus service for 9, 209, 647

**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 a construction trades contractors facility is 1 space per 1500 square feet of gross floor area.

**ISSUE:** None.

**ALTERNATIVES:**

**Current:** The current “R-5” Residential Single-Family District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**Proposed:** The proposed “C-2 CD” Commercial District permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

The proposed “CD” would allow for consideration of a construction trades contractor facility.

**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 and Zoning Commission (11-0) recommend Approval, pending Plan Amendment.

**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 “Medium Density Residential.” The requested “C-2 CD” is not consistent with the future land use designation. The applicant is seeking an amendment to “Mixed-Use” to allow for a construction trades contractor facility. Staff and 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. “C-2” Commercial zoning often acts as a transition and/or buffer to residential and multi-family zoning and uses.

**3. Suitability as Presently Zoned:**

The current "R-5" Residential Single-Family District is not an appropriate zoning for the property and surrounding area. The proposed “C-2” is more appropriate and allows continued operation of a long-established commercial business on the site.

**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 II: Encourage economic growth that enhances airport operations and development

Objective 2.2: Encourage commercial development that respects the integrity of existing residential development

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

The subject property is 2.026 acres, which could reasonably accommodate commercial uses and the proposed construction trades contractor facility.

## **7. Other Factors:**

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The request will align the zoning with a long standing non-conforming use that has been on the property prior to the current zoning.