



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-2399

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 3/21/2019

**Title:** ZONING CASE # Z-2019-10700005 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units on Lot 2, Block 10, NCB 2994, located at 507 East Ashby Place. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Ordinance 2019-03-21-0248

Date	Ver.	Action By	Action	Result
3/21/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700005 CD

**SUMMARY:**

**Current Zoning:** "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units

**BACKGROUND INFORMATION:**

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

**Case Manager:** Dominic Silva, Planner

**Property Owner:** Elisa Tess Harden & Adam Clayton Harden

**Applicant:** Elisa Tess Harden & Adam Clayton Harden

**Representative:** Elisa Tess Harden & Adam Clayton Harden

**Location:** 507 East Ashby Place

**Legal Description:** Lot 2, Block 10, NCB 2994

**Total Acreage:** 0.2185

**Notices Mailed**

**Owners of Property within 200 feet:** 41

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

**Applicable Agencies:**

**Property Details**

**Property History:** The subject properties were included in the original 36 square miles of the City of San Antonio and were zoned "R-1" Residential District with the adoption of Ordinance 83331, dated December 14, 1995. The property converted from "R-1" Residential District to "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "RM-4" and "R-6"

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** "RM-4" and "R-6"

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** "RM-4" and "R-6"

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Residential

**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:** East Ashby Place

**Existing Character:** Collector

**Proposed Changes:** None Known

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

Routes Served: 20, 8, 11.

**Thoroughfare:** Rose Lane

**Existing Character:** Collector

**Proposed Changes:** None Known

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

Routes Served: 20, 8, 11.

**Thoroughfare:** Gillespie Road

**Existing Character:** Local

**Proposed Changes:** None Known

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

Routes Served: 20, 8, 11.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required.

**Parking Information:** 1 per unit.

**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 subject property is within the Midtown Regional Center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is located within the Tobin Hill Neighborhood Plan, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-6 CD” base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family is an appropriate zoning for the property and surrounding area. The proposed rezoning maintains the base residential district, while allowing consideration of additional residential units. The residential units presently exist on the property.

**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 rezoning request does not appear to conflict with the land use goals and strategies of the Tobin Hill Neighborhood Plan.

Goals:

Tobin Hill Neighborhood Plan:

GOAL 2: Housing - Improve the quality, appearance, and variety of existing and new housing for all ages while increasing home ownership and investment in the area.

OBJECTIVE 5.1: Use Compatibility - Promote compatibility between the commercial and residential areas of the neighborhood.

OBJECTIVE 5.2: Promote Diverse, Neighborhood Oriented Development - Promote development and businesses that are diverse, neighborhood-oriented and meet the needs of the neighborhood.

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

The subject property is 0.2185, which would adequately support low and medium density residential uses.

## **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 applicant is rezoning for compliance and the ability to renovate existing structures.