



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-2852  
**Type:** Zoning Case  
**In control:** City Council A Session  
**On agenda:** 4/4/2019  
**Title:** ZONING CASE # Z-2019-10700009 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units on Lot 25, Block 19, NCB 2016, located at 1806 West Ashby Place. Staff and Zoning Commission recommend Denial.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Location Map, 2. Site Plan, 3. Zoning Minutes, 4. Draft Ordinance

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-2019-10700009 CD

**SUMMARY:**  
**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** March 5, 2019. This case is continued from the February 19, 2019 hearing.

**Case Manager:** Dominic Silva, Planner

**Property Owner:** Nephilim Corporation

**Applicant:** Lawrence Briseno and Melissa Ramos

**Representative:** Lawrence Briseno and Melissa Ramos

**Location:** 1806 West Ashby Place

**Legal Description:** Lot 25, Block 19, NCB 2016

**Total Acreage:** 0.1698

**Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** West End Hope in Action

**Applicable Agencies:** San Antonio ISD

**Property Details**

**Property History:** The subject properties were included in the original 36 square miles of the City of San Antonio and were zoned "B" Residential District. The property converted to "R-4" 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:** "R-4"

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "R-4"

**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:** West Ashby Place

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**Thoroughfare:** North Calaveras

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**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 ½ a mile of the Downtown and Midtown Regional Center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-2) recommend Denial.

**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 Near Northwest Community Plan, and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “R-4” base zoning district is consistent with the future land use designation.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. There are presently only one-family or two-family dwellings in the area. The addition of another unit would create a triplex, which introduces more density to an area that consists of a maximum of up to two residential units.

**3. Suitability as Presently Zoned:**

The current “R-4” Residential Single-Family is an appropriate zoning for the property and surrounding area. The proposed rezoning maintains the base zoning district but would allow more density than what is present in the existing community.

**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 appears to conflict with the land use goals and strategies of the Near Northwest Community Plan. The proposed rezoning is out of character with the existing community.

Goals:

Objective 3.4: Housing Development Encourage new housing development that is compatible with the community's character.

**6. Size of Tract:**

The subject property is 0.1698, which adequately supports residential development.

**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.