



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-3277

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/18/2019

**Title:** ZONING CASE Z-2019-10700060 (Council District 1): Ordinance amending the Zoning District Boundary from "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District to "IDZ-3 RIO-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "MF-65" Multi-Family District and "C-3" General Commercial District on Lots 11-14, Lot P-100 and Lot P-101, NCB 3053, located at 815 East Ashby Place. Staff recommends Approval. Zoning Commission recommendation pending the April 16, 2019 Zoning hearing.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. Ordinance 2019-04-18-0337

Date	Ver.	Action By	Action	Result
4/18/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z-2019-10700060

**SUMMARY:**

**Current Zoning:** "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay District Airport Hazard Overlay District

**Requested Zoning:** "IDZ-3 RIO-2 AHOD" High Intensity Infill Development Zone River Improvement Overlay District Airport Hazard Overlay District with uses permitted in "MF-65" Multi-Family District and "C-3" General Commercial District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 16, 2019. This case is expedited to the April 18, 2019 Council hearing.

**Case Manager:** Mirko A. Maravi, Planner

**Property Owner:** SSGT Borden Park, LLC

**Applicant:** Embrey Partners, Ltd.

**Representative:** Kaufman & Killen, Inc.

**Location:** 815 East Ashby Place

**Legal Description:** Lots 11-14, Lot P-100 and Lot P-101, NCB 3053

**Total Acreage:** 5.1074

**Notices Mailed**

**Owners of Property within 200 feet:** 19

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

**Applicable Agencies:** TX DOT

**Property Details**

**Property History:** The property was part of the original 36 square miles of San Antonio and originally zoned "J" Commercial District. The property was rezoned by Ordinance 83331, dated December 14, 1995, from "J" Commercial District to "I-1" Light Industry District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain. Flood plain exists directly off property in the south east corner.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Residential Single-Family

**Direction:** East

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

**Current Land Uses:** Residential Single-Family

**Direction:** South

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

**Current Land Uses:** Residential Single-Family

**Direction:** West

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

**Current Land Uses:** Multi-Family

**Overlay and Special District Information:**

"RIO"

All surrounding properties carry the "RIO" River Overlay District, due to their proximity to the San Antonio River. The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

"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:** Local

**Proposed Changes:** None Known

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

Routes Served: 20

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. TX DOT will need to review and approve access.

**Parking Information:**

The minimum parking requirement for a multi-family dwelling is 1.5 spaces per unit. The minimum parking requirement for commercial professional office use is 1 space per 300 SF GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “I-1”. This district accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses are auto and light truck auction, truck stop, abrasives manufacturing, food and drug manufacturing, sand and gravel storage and sales, screened outdoor storage, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**FISCAL IMPACT:**

None.

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

The subject property is within the Midtown Regional Center and located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. Zoning Commission recommendation is pending the April 16, 2019 Zoning hearing.

**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 in the Tobin Hill Neighborhood Plan, and is currently designated as “High Density Mixed Use” in the future land use component of the plan. The requested “IDZ-3” with uses permitted in “MF-65” and “C-3” 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. The proposed development of a Multi-Family and General Commercial is an appropriate use for the area.

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

The current “I-1” General Industrial is an appropriate zoning for the property and surrounding area.

### **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

### **5. Public Policy:**

The applicant’s request meets the Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.

The applicant’s request the Master Plan’s Policy for Urban Design - Policy 1e, because it allows zero setbacks for commercial and multi-family developments.

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Tobin Hill Neighborhood Plan:

- 2.2.1 Encourage and facilitate the development of quality, compatible infill housing where appropriate. Compatible housing will maintain the historical and architectural integrity of the neighborhood and help to better utilize vacant and/or unkempt properties.
- 2.2.3 Encourage mixed use development where appropriate

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

The subject property is 5.1074 acres, which would adequately support the multi-family and general commercial use.

### **7. Other Factors:**

This property is in the RIO-2. Any proposed exterior alterations associated with the proposal will require approval from the Historic and Design Review Commission. Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. A version of this site plan received conceptual approval from the HDRC on April 3, 2019. The project also includes the relocation of an existing, historic house located at the southeast corner of Pierce and Quitman which has not been recommended by the HDRC at this time. Further action by the HDRC will be required in order to authorize the relocation of the house.