



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1536

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**Agenda Item Number:** 14.

**Agenda Date:** 2/6/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2018043 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 a Conditional Use for Non-Commercial Parking Lot

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2018. This case has been expedited to the February 15, 2018 City Council Hearing due to the cancellation of the January 16 Zoning Commission Meeting.

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Hector L. Nevarez

**Applicant:** Hector L. Nevarez

**Representative:** Sharyll Teneyuca

**Location:** 1121 West Ashby Place

**Legal Description:** Lot 39, Block 2, NCB 3031

**Total Acreage:** 0.1607

**Notices Mailed**

**Owners of Property within 200 feet:** 31

**Registered Neighborhood Associations within 200 feet:** Beacon Hill Neighborhood Association

**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The subject property is located in the Original City Limits of San Antonio, and was zoned "D" Apartment District. This converted to "R-3" Multiple Family Residence District upon adoption of the 1965 Zoning Code. The zoning changed to "R-1" Single Family Residence District on September 25, 1997, established by Ordinance 86704. The current "R-6" Residential Single-Family District converted from the previous "R-1" base zoning district upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001). The Beacon Hill Neighborhood Conservation District, displayed as "NCD-5," was established by Ordinance 101890, dated December 15, 2005.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6 CD, MF-33

**Current Land Uses:** Apartments, Duplex

**Direction:** East

**Current Base Zoning:** R-6 CD, C-3NA

**Current Land Uses:** Duplex, Parking Lot, Residential

**Direction:** South

**Current Base Zoning:** R-6

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

**Direction:** West

**Current Base Zoning:** MF-33

**Current Land Uses:** Apartments

**Overlay and Special District Information:** 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.

The Beacon Hill Neighborhood Conservation District (NCD-5) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff, develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** West Ashby Place

**Existing Character:** Collector

**Proposed Changes:** None known

**Public Transit:** There are several bus stops within walking distance that are along various VIA routes. Bus Routes include 2, 90, 95, 96, 97, and 20.

**Traffic Impact:** A Traffic Impact Analysis is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Multi-family requires a minimum of 1.5 parking spaces per unit and a maximum of 2 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-6” base zoning district permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, as well as foster family home, and public/private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center. The subject property is located within the Fredericksburg Premium Transit Corridor, the New Braunfels Avenue Premium Transit Corridor, and the San Pedro 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 located within the Midtown Neighborhoods Plan and is currently designated as “Medium Density Residential” in the land use component of the plan. The requested “R-6” base zoning district is consistent with the adopted land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. The parking lot exists on the subject property and is part of an apartment complex. By bringing the parking lot into compliance, it will provide parking to apartment complex residents.

**3. Suitability as Presently Zoned:**

The existing “R-6” base zoning district is appropriate for the surrounding area. There is single-family residential to the south of the property making the base zoning district “R-6” compatible with surrounding uses.

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

Staff has not found any indication of likely adverse effects on the public health, safety, or welfare. The parking lot already exists and is enclosed within the walls of an apartment complex. The request does not indicate likely adverse effects.

**5. Public Policy:**

The request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The 0.1607 acre site is of sufficient size to accommodate the proposed 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.