



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 5, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**  
Zoning Case Z-2023-10700067

**SUMMARY:**

**Current Zoning:** "R-6 UC-5 AHOD" Residential Single-Family Main Avenue/McCullough Avenue Urban Corridor Overlay Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 UC-5 AHOD" Limited Intensity Infill Development Zone Main Avenue/McCullough Avenue Urban Corridor Overlay Airport Hazard Overlay District with uses permitted in "NC" Neighborhood Commercial District and three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 5, 2023. This item was postponed from the August 15, 2023, meeting, and continued several times between the months of April to August 2023.

**Case Manager:** Adolfo Gonzalez

**Property Owner:** HW Ashby I, LLC

**Applicant:** HW Ashby I, LLC

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** 311 East Ashby Place

**Legal Description:** Lot 4, Block 8, NCB 2989

**Total Acreage:** 0.1873

**Notices Mailed**

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

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Neighborhood Association and Monte Vista Historical Neighborhood Association

**Applicable Agencies:** Fort Sam Houston

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned “D” Apartment District. The property was rezoned by Ordinance 83331, dated December 14, 1995, to “R-1” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-1” Single-Family Residence District converted to the current “R-6” Residential Single-Family District.

**Code & Permitting Details**

There is no relevant code enforcement or permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Residential Dwelling

**Direction:** East

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

**Current Land Uses:** Residential Dwelling

**Direction:** South

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

**Current Land Uses:** Residential Dwelling

**Direction:** West

**Current Base Zoning:** "C-3"

**Current Land Uses:** Law Office

**Overlay District Information:**

The “UC-5” Main Avenue/McCullough Avenue Urban Corridor overlay was established because there are many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of “UC” serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

**Transportation**

**Thoroughfare:** East Ashby Place

**Existing Character:** Collector

**Proposed Changes:** None known.

**Thoroughfare:** McCullough Avenue

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None known.

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

**Routes Served:** 5, 204

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** "IDZ-1" waives the minimum parking requirement.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District permits dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: "IDZ-1" Limited Intensity Infill Development allows rezoning requests up to 18 units per acre and uses permitted in "C-1" and "O-1". All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city. The proposed "IDZ-1" would allow "NC" Neighborhood Commercial uses and three (3) dwelling units.

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**FISCAL IMPACT:**

None.

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

The subject property is located with the Midtown Area Regional Center and within ½ a mile from the New Braunfels Avenue 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 approval criteria below.**

1. **Consistency:** The subject property is located within the Midtown Area Regional Center Plan and is currently designated as "Urban Low Density Residential" in the future land use component of the plan. The requested "IDZ-1" base zoning district is consistent with the future land use designation.
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. The proposed use is consistent with the established development pattern of the surrounding area. There are a mix of zoning designations within proximity including "MF-33" Multi-Family District, "C-3" General Commercial District and "R-6" Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "IDZ-1" Limited Intensity Infill Development Zone with uses permitted in "NC" Neighborhood Commercial and three (3) dwelling units is also an appropriate zoning for the property and surrounding area. The property is adjacent to properties zoned "C-3", "R-6", and "MF-33". Given that Neighborhood Commercial uses are less intense than "C-1" and generally located within walking distance of residential neighborhoods, the proposed rezoning would serve as a buffer between the residential uses and the more intense "C-3" uses. The request also provides more housing in the area, which is consistent with the Strategic Housing Implementation Plan for more residential options for all income levels.
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 request does not appear to conflict with any public policy objective of the Midtown Area Regional Center Plan.

Goals and objectives include:

- Objective 1.3: Business Development: Attract new neighborhood-friendly, locally owned, sustainable businesses that will meet the neighborhood's daily needs, build on our base of "mom and pop" businesses, and bring new vitality to the neighborhood's commercial centers.
- Goal 2: Housing: Preserve and revitalize the neighborhoods' unique mix of quality housing.

- Objective 2.2: Housing Character: Maintain the historic character of the neighborhoods' housing while building on the increased demand for area homes to attract reinvestment by new families.
6. **Size of Tract:** The 0.1873 acre site is of sufficient size to accommodate the proposed mixed use development.
  7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates both residential and commercial uses. The proposed zoning includes three (3) dwelling units.