



City of San Antonio

**Agenda Memorandum**

**File Number:**  
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**Agenda Item Number:** {{item.number}}

**Agenda Date:** September 21, 2021

**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-2021-10700179

**SUMMARY:**

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

**Requested Zoning:** "RM-5 AHOD" Residential Mixed Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 21, 2021. This case was continued from August 17, 2021 and September 7, 2021 Zoning Commission meetings.

**Case Manager:** Daniel Hazlett, Development Services Manager

**Property Owner:** Matthew Bars

**Applicant:** Matthew Bars

**Representative:** Matthew Bars

**Location:** 506 East Ashby Place

**Legal Description:** Lot 17, Block 7, NCB 2998

**Total Acreage:** 0.1719

**Notices Mailed**

**Owners of Property within 200 feet:** 33

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

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was part of the original 36-square miles of the City of San Antonio and was zoned "D" Apartment District. The property was part of a large-area rezoning and was rezoned from "D" to "R-1" One Family Residence District by Ordinance 83331, dated December 14, 1995. The "R-1" One Family Residence District converted to the current "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC), by Ordinance 93881, dated May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Three Residential Units

**Direction:** East

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

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

**Direction:** South

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

**Current Land Uses:** Multi-Family, Single-Family Residence

**Direction:** West

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

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

**Overlay District Information:**

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:**

None.

**Transportation**

**Thoroughfare:** East Ashby Place

**Existing Character:** Collector Road

**Proposed Changes:** None Known

**Thoroughfare:** Gillespie Street

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 5, 8, and 20 are within walking distance of the subject property.

**Traffic Impact:** Right-of-Way (ROW) dedication and improvement may be required along Gillespie Street and Ashby Place

**Parking Information:** The minimum requirement for for a triplex would be 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** Single-family 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:** Single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 5,000 square feet and a minimum lot width of 15 feet, public and private schools.

**FISCAL IMPACT:**

None.

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

The property is located within the Midtown Regional Center and is not located along a 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 Tobin Hill Neighborhood Plan and is currently designated as “Urban Low Residential” in the future land use component of the plan. The requested “RM-5” Residential Mixed 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. The property to the east of the subject site is zoned “RM-4” Residential Mixed District. A variety of residential zoning types are present in the area.
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 “RM-5” is also appropriate as the area has a mixed of single and multi-family residential housing types. The “RM-5” will allow development of three (3) dwelling units. The adjacent “RM-4” allows up to four (4) dwelling units.
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. The applicant seeks a zoning change from “R-6” Residential Single-Family District to “RM-5” Residential Mixed District to convert a single-family residence into a triplex. The proposed “RM-5” is compatible with the current zoning and uses along East Ashby Place. Relevant Tobin Hill Neighborhood Priorities: • Goal 2: Encourage investment in the rehabilitation and maintenance of the existing housing stock in the neighborhood. • Goal 2.2.3: Encourage mixed use development where appropriate. • Goal 2.4.1: While preserving the neighborhood’s historic housing inventory, encourage the utilization of available land to develop single family homes in the residential core of the neighborhood and, where appropriate, higher density housing (townhomes, condos, apartments) in areas designated as Low Density and High-Density Mixed Use. • Goal 2.4.2: Encourage and facilitate the development of quality, diverse housing that is compatible with the character of the neighborhood Relevant Goals, Recommendations and Strategies of the Midtown Area Regional Center Plan may include: • Land Use Recommendation #2: encourage zoning that supports the maintenance of neighborhood character while encouraging affordable housing, housing for all stages of life, and housing that is accessible to people with mobility impairments. • Land Use Recommendation #3: Discourage incremental rezoning (both up-zoning and down-zoning) in Midtown neighborhood areas. • Housing Recommendation #1: Ensure that zoning supports a context sensitive supply of diverse housing to support Midtown’s expected housing growth. • Housing Recommendation #3: Maintain affordability and a diversity of housing options by accommodating additional housing in neighborhoods and transition areas through context

sensitive design and small scale, infill housing. • Housing Strategy 3.3: Encourage additional neighborhood housing such as accessory dwelling units and middle-intensity housing types (e.g. duplex, triplex) where consistent with the Future Land Use Plan and policy.

6. **Size of Tract:** The 0.1719 of acre site is currently accommodating an existing single-family residence.
  
7. **Other Factors** In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.