



# City of San Antonio

## Agenda Memorandum

**File Number:** 19-8550

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**Agenda Item Number:** 9.

**Agenda Date:** 12/3/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700256  
(Plan Amendment Case PA-2019-11600090)

**SUMMARY:**

**Current Zoning:** "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District to allow for three (3) residential units

**Requested Zoning:** "IDZ-2 H AHOD" Medium Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District to allow for six (6) residential units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 3, 2019

**Case Manager:** Mirko Maravi, Planner

**Property Owner:** Michael and Teresa Garansuay

**Applicant:** Michael and Teresa Garansuay

**Representative:** Michael and Teresa Garansuay

**Location:** 909 North Hackberry Street

**Legal Description:** The north 92.5 feet of Lot 13 and Lot 14, Block 2, NCB 529

**Total Acreage:** 0.2541

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Dignowity Hill Neighborhood Association  
**Applicable Agencies:** Fort Sam Houston, Parks and Recreation Department; Office of Historic Preservation

### **Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "C" Apartment District. The property was rezoned by Ordinance 70785, dated December 14, 1989 from "C" Apartment District to "R-2 H" Historic Tow Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the "RM-4 H" Residential Mixed Historic District. The property was rezoned again by Ordinance 2012-12-06-0953, dated December 6, 2012 from "RM-4 H" Residential Mixed Historic District to "R-6 H" Single-Family District. The property was rezoned yet again by Ordinance 2017-04-06-0214, dated April 6, 2017 from "R-6 H" Single-Family Historic District to the current "IDZ H" Infill Development Zone Historic District.

**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:** "IDZ" with uses permitted in "NC" and "RM-6"

**Current Land Uses:** Retail

**Direction:** South

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

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

**Direction:** East

**Current Base Zoning:** "R-5"

**Current Land Uses:** Vacant

**Direction:** West

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

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

### **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:** North Hackberry Street

**Existing Character:** Secondary Arterial B

**Proposed Changes:** Lamar Street (Austin Street to North New Braunfels Avenue) -- Reconstruct Lamar Street from Austin Street to N. New Braunfels with curbs, sidewalks and driveway approaches as appropriate and within available funding.

**Thoroughfare:** Fayn Way

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes Served:** 22

**Traffic Impact:** San Pedro is identified on the City’s Major Thoroughfare Plan as a Secondary Arterial B. ROW Dedication may be required.

**Parking Information:** The minimum parking requirement for a single family dwelling is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of "IDZ" Infill Development Zone District provides flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. The "IDZ" calls out uses for three (3) residential units.

**Proposed:** The proposed "IDZ" Infill Development Zone after November 1, 2018 provides flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. The "IDZ" calls out uses for six (6) residential units.

**FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center but located within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 Dignowity Hill Neighborhood Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ-2” base zoning district is not consistent with the future land use designation. The applicant is requesting a Plan Amendment to change the future land use to “Low Density Mixed Use”. Staff recommends Approval. The Planning Commission recommendation is pending the December 11, 2019 hearing.

**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.

**3. Suitability as Presently Zoned:**

The current “IDZ” Infill Development Zone District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-2” Medium Infill Development Zone District will add a higher overall density,

however the additional structures, as per the site plan, match the size and usage of an accessory dwelling in relation to the current allowable three (3) residential 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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Dignowity Hill Neighborhood Plan:

Goal 8: Increase homeownership through infill development and housing rehabilitation.

Goal 10: Preserve the unique historic character of Dignowity Hill.

#### **"IDZ"**

Infill Development Zone (IDZ) provides flexible standards for developments. IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. IDZ may be approved as either a base zoning district or an overlay zoning district. Standards required in an IDZ district shall apply to either IDZ base zoning or the IDZ overlay district except where otherwise specifically stated. Typically IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

- The applicant's request meets the Master Plan's Policy for Growth Management - Policy 1g, because it makes physical improvements on an inner city property encouraging redevelopment and infill development.
- The applicant's request the Master Plan's Policy for Neighborhoods - Policy 1d, because it promotes conversion or adaptive reuse of vacant or underutilized commercial buildings to provide affordable infill housing.

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

The subject property is 0.2541 acres, which could reasonably accommodate six (6) residential homes.

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

This property is located within the Dignowity Hill Historic District and includes the intention demolish the structure on site. Any new construction will require approval from the Historic and Design Review Commission. Approval of a site plan or materials submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. The HDRC process has been initiated by the applicant and the request for new construction is scheduled to be heard November 20, 2019, by the HDRC. The proposal is in conflict with the Historic Design Guidelines and OHP staff is not recommending approval.

Property was rezoned by Ordinance 2017-04-06-0214, dated April 6, 2017 to "IDZ" with uses permitted for three (3) Single-Family Homes. The requested rezoning will allow for six (6) Single-Family Homes. The amount and size of the additional homes are consistent with an accessory dwelling of the original three (3) Single-Family Homes.

"IDZ-2" holds the applicant to the submitted site plan and caps the height a 4 stories. The proposed units are 2-stories.

The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request.