



# City of San Antonio

## Agenda Memorandum

**File Number:**20-1591

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**Agenda Item Number:** Z-7.

**Agenda Date:** 2/20/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700275  
(Associated Plan Amendment PA 2019-11600079)

**SUMMARY:**

**Current Zoning:** "MF-33 H AHOD" Multi-Family Dignowity Hill Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ-2 H AHOD" Medium Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and for a Party House, Reception Hall, Meeting Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 21, 2020. This case is continued from the December 17, 2019 zoning hearing.

**Case Manager:** Michael Pepe, Planner

**Property Owner:** TSTMann, LLC

**Applicant:** Douglas Miller

**Representative:** Brown & Ortiz, P.C.

**Location:** 707 Dawson Street

**Legal Description:** South 104.22 feet of Lot 11, Lot 12 and Lot 13, Block 8, NCB 562

**Total Acreage:** 0.3739

**Notices Mailed**

**Owners of Property within 200 feet:** 44

**Registered Neighborhood Associations within 200 feet:** Dignowity Hill

**Applicable Agencies:** Fort Sam Houston, Office of Historic Preservation, Solid Waste Department

### **Property Details**

**Property History:** The property was part of the Original 36 Square Miles of the City of San Antonio. The property was originally zoned "H" Retail District. "H" Local Retail District to "O-1" Office District by Ordinance 70785, dated December 14, 1989. In 2012, the property was rezoned "MF-33" Residential Single-Family by Ordinance 201212060953.

**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-5", "MF-33"

**Current Land Uses:** Parking Lot, Multifamily High Rise

**Direction:** East

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

**Current Land Uses:** Single Family Dwellings

**Direction:** West

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

**Current Land Uses:** Vacant

**Direction:** South

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

**Current Land Uses:** Duplexes

### **Overlay and Special District Information:**

"H"

The surrounding properties are located in the Dignowity Hill Historic District, which was adopted in 1983. Historic districts do not regulate use of the property, but do enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued.

"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:** Dawson

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** N Hackberry

**Existing Character:** Secondary Arterial B

**Proposed Changes:** None

**Public Transit:** There are VIA bus routes within walking distance.

**Routes Served:** 22, 24, 222

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

**Parking Information:** The parking minimum for a professional office is 1 space per 300 square feet.

**ISSUE:**

None.

**ALTERNATIVES:**

**Proposed:** The current “MF-33” District allows a Multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 33 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**Current:** “IDZ” districts provide flexible standards for use, setbacks, and parking for the development and reuse of underutilized parcels within a qualifying area of the city. This “IDZ-2” zoning would permit uses allowed within a “C-2” Commercial District, which accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining. It would also allow a Party House, Reception Hall, Meeting Facility.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend 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 Dignowity Hill Plan and is currently designated as “High Density Residential” in the future land use component of the plan. The requested “IDZ-2” is not consistent with “High Density Residential”. The applicant has requested a Plan Amendment to “Low Density Mixed Use”. Staff and Planning Commission recommend Approval.

**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 requested “IDZ-2” is consistent with the mixed use Hackberry corridor. The site plan also provides for a lower impact in terms of density on the neighborhood character as the use proposed is “C-2” and not “MF-

33” which would allow 12 multi-family units.

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

The current “MF-33” zoning is appropriate for the property and surrounding area. The proposed “IDZ-2” would also be appropriate for the large lot located on a secondary arterial and would lessen the potential impacts of high density residential currently permitted on the site.

### **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 subject property is located within the Dignowity Hill Neighborhood Plan.

The proposed rezoning does not appear to conflict with the following goals and policies recommended in the plan:

The definition of Low Density Mixed Use: Low Density Mixed Use includes a mix of low intensity residential and commercial uses either on adjacent lots or integrated in one structure. The mix of uses within a block or building is to promote walkability and thus all mixed use developments should be designed for the pedestrian in mind. Compatibility between commercial and residential uses is recommended. Monument signs, shared parking located in back or to the rear of the structure, and limited curb cuts are encouraged.

#### **5.1.6. Improve and rehabilitate properties including commercial and vacant properties**

"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 of 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 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 applicant’s request the Master Plan’s Policy for Urban Design - Policy 4b, because it incentivizes property to encourage development in underutilized urban areas.

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

The subject property is 0.3739 acres, which can reasonably accommodate commercial uses.

### **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, JB SA was notified of the proposed request.

This property is located within the Dignowity Hill Historic District and includes the intention demolish the structure on site. Demolition of designated historic structures requires a 60-day hold before being heard by 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 not been initiated by the applicant. To date, no application has been made to the Historic and Design Review Commission for demolition or new construction for this project. Additionally, based on the submitted site plan, proposed setbacks conflict with the Historic Design Guidelines.