



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-4210

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 8/4/2015

**Title:** (Continued from 07/21/15) ZONING CASE # Z2015227 (Council District 2): A request for a change in zoning from "RM-4 H AHOD" Residential Mixed Dignowity Hill Historic Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses for five (5) single-family/live-work units on 0.180 acres out of NCB 568 located at 532 Dawson Street and 417 North Mesquite Street. Staff recommends Denial with Alternate Recommendation. (Associated Plan Amendment 15055)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015-227 Location Map, 2. Z2015227\_Site Plan

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2015227

(Associated Plan Amendment 15055)

**SUMMARY:**

**Current Zoning:** "RM-4 H AHOD" Residential Mixed Dignowity Hill Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses for five (5) single-family/live-work units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 4, 2015. This case is continued from the July 21, 2015 hearing.

**Case Manager:** Mary Morales-Gonzales, Planner

**Property Owner:** Logan Fullmer

**Applicant:** Logan Fullmer

**Representative:** Logan Fullmer

**Location:** 532 Dawson Street and 417 North Mesquite Street

**Legal Description:** 0.180 acres out of NCB 568

**Total Acreage:** 0.180

### **Notices Mailed**

**Owners of Property within 200 feet:** 35

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

**Planning Team:** Dignowity Hill Neighborhood Plan - 23

**Applicable Agencies:** Office of Historic Preservation, San Antonio Aviation Department

### **Property Details**

#### **Property History:**

The subject property is located within the City Limits as they were recognized in 1938, and was originally zoned "B" Residence District. Upon adoption of the 1965 Unified Development Code, the property converted to "R-7" Single-Family Residential. Upon adoption of the 2001 Unified Development Code, the "R-7" zoning district converted to the current "RM-4".

#### **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 and West

**Current Base Zoning:** R-4 H, RM-4 H, R-6 H, RM-6 H

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

**Direction:** South

**Current Base Zoning:** RM-4 H, I-1 H

**Current Land Uses:** Single-Family Residence, Commercial Uses, Vacant Land

**Direction:** East

**Current Base Zoning:** RM-4 H, I-1 H

**Current Land Uses:** Single-Family Residences, Parking Lot, Charter Shuttle Services, Vacant Land

### **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 subject property and surrounding properties are designated as "H" Dignowity Hill Historic District. The designation provides for a design review process in which exterior modifications and new construction must be reviewed for their appropriateness before a building permit can be issued.

### **Transportation**

**Thoroughfare:** Dawson

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** North Mesquite Street

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Public Transit:** VIA bus route # 24-East Houston stops at East Houston Street between Mesquite Street and North Cherry Street located one block south.

**Traffic Impact:**

“IDZ” zoning is exempt from TIA requirements.

**Parking Information:**

Single-family dwellings - Minimum Parking Requirement: 1space per unit. Maximum Parking Requirement: N/A

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current zoning classification, restricting future land uses to those permissible in the “RM-4 H AHOD” zoning district.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:** Staff recommends Denial, with alternate recommendation.

**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 designated as Low Density Residential in the future land use plan. The zoning request of “IDZ H AHOD” with uses permitted to allow five (5) single-family/live-work units is not consistent with future land use designation. The applicant has applied for a Plan Amendment to the Dignowity Hill Neighborhood Plan to change the land use plan to Low Density Mixed Use. Staff recommends approval. Planning Commission recommended denial.

Staff recommends an alternate zoning of “IDZ H AHOD” Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for four (4) single-family dwelling units. The alternate recommendation would be more appropriate within the current Low Density Residential future land use designation. The current base zoning of “RM-4” allows up to four (4) dwelling units, therefore, a request to construct four (4) single-family dwelling units is consistent with the intent of the Low Density Residential land use designation.

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

The subject property is located within the Dignowity Hill Neighborhood Association and is surrounded on the north, east and west by single-family residences on 4,000 square foot lots. Most homes in the area were built around 1940. It is important to preserve the historical character of the neighborhood by keeping the residential

density low and in character with the traditional building style of the neighborhood. The recommended alternate zoning would provide a low density residential development that would adversely impact neighboring lands.

In addition, the Dignowity Hill Historic District features a distinct set of site characteristics and architectural styles. As such, all new construction projects will be reviewed within the context of its individual block and the surrounding historic district by the the Historic and Design Review Commission.

**3. Suitability as Presently Zoned:**

The subject property's current zoning designation is suitable.

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

Staff has found that the proposed zoning request will negatively impact the welfare of the neighborhood due to live-work units resulting in customer traffic in a residential neighborhood. A home occupation is more suitable within a residential neighborhood pursuant to the requirements found in Sec. 35-378 of the Unified Development Code.

**5. Public Policy:**

The alternate staff recommendation of "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for four (4) single-family dwelling units does not appear to conflict with the Dignowity Hill Neighborhood Plan.

**6. Size of Tract:**

The subject property totals 0.180 acres in size, which should reasonably accommodate the uses requested.

**7. Other Factors:**

In the event the applicant decides to amend the zoning request, renotification will be required per Sec. 35-403 of the Unified Development Code. This requires an automatic postponement and fee to the August 18 Zoning Commission Meeting in order to meet minimum notification requirements.