



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1544

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 2/6/2018

**Title:** ZONING CASE # Z2018008 (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 permitted for Seven (7) Single-Family Residential Units on the West 25.16 feet of the South 53 feet of Lot 7, the West 26.82 feet of Lot 10, the East 70 feet of the North 27.5 feet of Lot 10, the East 42.5 feet of the West 108.32 feet of Lot 10, the West 30 feet of the East 100 feet of Lot 10, the East 39.7 feet of Lot 9, 0.05 acres of land (East 39 feet of the West 65.82 feet of Lot 10), Block 17, NCB 568, located at 105,107,109,111,113 and 115 Brown Alley, and 415 North Mesquite. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2018008

**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 permitted for Seven (7) Single-Family Residential Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 6, 2018. This case has been expedited to the February 15, 2018 City Council Hearing due to the cancellation of the January 16 Zoning Commission Meeting.

This case was continued to the January 16, 2018 Zoning Hearing from the December 5, 2017 Zoning Hearing. Due to the cancelled meeting, the case was republished and renotified.

**Case Manager:** Angela Cardona, Planner

**Property Owner:** MP2 Home Restoration, LLC

**Applicant:** Michael A. Perez

**Representative:** Michael A. Perez

**Location:** 105, 107, 109, 111, 113 and 115 Brown Alley and 415 North Mesquite

**Legal Description:** The West 25.16 feet of the South 53 feet of Lot 7, the West 26.82 feet of Lot 10, the East 70 feet of the North 27.5 feet of Lot 10, the East 42.5 feet of the West 108.32 feet of Lot 10, the West 30 feet of the East 100 feet of Lot 10, the East 39.7 feet of Lot 9, 0.05 acres of land (East 39 feet of the West 65.82 feet of Lot 10), Block 17, NCB 568

**Total Acreage:** 0.308 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 25

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

**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The subject properties are located within the original 36 square miles established in 1938 and were zoned “D” Apartment District. The property was then rezoned to “R-2” Two -Family Residence (Ordinance 70785) on December 14, 1989. Upon adoption of the Unified Development Code in 2001, the property then converted to the current “RM-4” Residential Mixed (Ordinance 93881).

**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

**Current Base Zoning:** “RM-4”

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** “I-1”

**Current Land Uses:** Vacant, Body Shop, Restaurant

**Direction:** East

**Current Base Zoning:** “RM-4”, “I-1”

**Current Land Uses:** Residential, Charter Bus Parking

**Direction:** West

**Current Base Zoning:** “D”

**Current Land Uses:** Music Hall/ Vacant Building

**Overlay and Special District Information:**

The subject property is located within the “AHOD” Airport Hazard Overlay District. The “AHOD” does not

restrict permitted uses, but may require additional review by both the Federal Aviation Administration and Development Services Department.

The surrounding properties are located in the Dignowity Hill Historic District, which was adopted in December 3, 2009. 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.

### **Transportation**

**Thoroughfare:** North Mesquite Street

**Existing Character:** Local Street

**Proposed Changes:** None Known.

**Thoroughfare:** East Houston Street

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None Known.

**Public Transit:** The nearest VIA bus routes are #24, #25 and #225 are within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis is not required. Infill Development Zone (IDZ) requests are exempt from the TIA requirement.

**Parking Information:** Infill Development Zone (IDZ) requests are exempt from parking requirements.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The current zoning "RM-4" Residential Mixed District allows for Single-Family dwelling (detached, attached or townhouse), two-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 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 subject property is adjacent to the Downtown Regional Center and within one half mile of the Commerce-Houston Metro 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 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” and “Low Density Mixed Use” in the future land use component of the plan. The proposed base zoning district of “IDZ” is consistent with the Dignowity Hill Neighborhood Plan.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change because the request is consistent with the adjacent residential uses.

**3. Suitability as Presently Zoned:**

The current “RM-4” base zoning district is appropriate for the subject property’s location as it is currently surrounded by residential uses.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The rezoning request does not appear to conflict with land use goals and strategies of the Dignowity Hill Neighborhood to provide Low Density Mixed Uses to the area.

**6. Size of Tract:**

The subject property totals 0.308 acres in size, which should reasonably accommodate the proposed development of seven Single-Family Residential Units with the “IDZ” zoning request.

**7. Other Factors:**

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, lot sizes, and setbacks.

The applicant’s request is eligible for “IDZ” because:

- It meets the Master Plan’s Policy for Neighborhoods - Policy 1a, because it rezones vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.
- It 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.
- Is consistent with the Master Plan’s Policy for Economic Development - Goal 4, because it targets an area within Loop 410 and the southern sector.

This property is located within the Dignowity Hill Historic District 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. To date, no application has been made to the Historic and Design Review Commission for this project.

