



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-2509

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 3/17/2020

**Title:** ZONING CASE Z-2019-10700298 (Council District 2): A request for a change in zoning from "R-5 H AHOD" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District to "IDZ-1 H AHOD" Low Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for three (3) dwelling units on Lot 12, Block 1, NCB 528, located at 415 Hays Street. Staff recommends Approval. (Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. Ground Plan Comparison Form

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

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2019-10700298

**SUMMARY:**

**Current Zoning:** "R-5 H AHOD" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 H AHOD" Low Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for three (3) residential units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 17, 2020

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Juan M. Fernandez

**Applicant:** Juan M. Fernandez

**Representative:** WGI, Inc

**Location:** 415 Hays Street

**Legal Description:** Lot 12, Block 1, NCB 528

**Total Acreage:** 0.221

**Notices Mailed**

**Owners of Property within 200 feet:** 34

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

**Applicable Agencies:** Fort Sam, Planning Department and Solid Waste Department

**Property Details**

**Property History:** The subject property is located within the city limits as recognized in 1938. The subject property was platted in its current configuration within the Original 36 Square Miles of the City of San Antonio Corporate Limits. The subject property is undeveloped. The subject property was rezoned by Ordinance 70-785, dated December 14, 1989 to "R-2" Two-Family Residence District. In 1983, a city-initiated area wide zoning change designated the subject property and the surrounding area a Historic District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "RM-4 H". In 2012 the subject property was rezoned to "R-5 H".

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

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

**Direction:** East

**Current Base Zoning:** "R-5", "RM-4"

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

**Direction:** South

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

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

**Direction:** West

**Current Base Zoning:** "RM-6", "R-5"

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

**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:** Hays Street, N. Mesquite

**Existing Character:** Local, Type A; One lane each direction with sidewalks on both sides.

**Proposed Changes:** None known

**Public Transit:** VIA bus routes are not within walking distance of the subject property.  
Routes Served: none

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. Limited Density Infill Development (IDZ-1) is exempt from TIA requirements.

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

**ISSUE:**  
None.

**ALTERNATIVES:**

**Current:** Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “R-5”. Low-Density Residential uses include single-family houses on individual lots. The “R-5” Residential Single-Family District allows for a minimum lot size of 5,000 square feet and a minimum lot width of 50 feet, foster family home, nursery (1-acre minimum), public and private schools.

**Proposed:** The proposed “IDZ-1” Limited Density 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. Any use may be permitted within an "IDZ" so long as it complies with the standards of this section. The applicant is utilizing “IDZ-1” to develop three (3) residential units.

**FISCAL IMPACT:**  
None.

**Proximity to Regional Center/Premium Transit Corridor**

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

**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 / Eastside Reinvestment Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ-1” base zoning district is consistent with the adopted land use designation.

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

Staff has not found 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 area has a mixture of residential zoning that allows for additional density on several lots.

**3. Suitability as Presently Zoned:**

The existing “R-5” Residential Single-Family base zoning is an appropriate zoning district is appropriate for the surrounding area. The proposed “IDZ-1” is suitable to the area and provides the opportunity for additional low density residential options with the consideration for (3) three residential dwellings.

#### **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 / Eastside Reinvestment Plan:

- Goal 8: Increase homeownership through infill development and housing rehabilitation
- Goal 9: Well maintained and diverse housing stock

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.
- The applicant’s request 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.
- The applicant’s request the Master Plan’s Policy for Neighborhoods - Policy 4a, because it preserves and revitalizes housing and promotes targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.
- The applicant’s request the Master Plan’s Policy for Urban Design - Policy 1d, because it develops criteria and procedures for infill development which will enhance the character of neighborhoods.

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

The subject property is 0.221 acres, which would adequately support three (3) residential dwellings.

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

The applicant provided a site plan indicating three (3) residential units. You may note that the site plan holds the applicant to the site design and layout.

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

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. Additionally, based on the submitted site plan, there are conflicts with the Historic Design Guidelines and the proposed project.

