



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-3233

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 5/4/2021

**Title:** ZONING CASE Z-2021-10700058 (Council District 2): A request for a change in zoning from "R-6 H AHOD" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District to "IDZ-1 H AHOD" Limited Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for four (4) dwelling units on Lot 9, Block 2, NCB 529, located at 507 Hays Street. Staff recommends Denial, with Alternate Recommendation. (Justin Malone, Planner, (210) 207-0157, Justin.Malone@sanantonio.gov, Development Services Department).

**Sponsors:**

**Indexes:**

**Code sections:**

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

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2021-10700058

**SUMMARY:**

**Current Zoning:** "R-6 H AHOD" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District

**Requested Zoning:** "IDZ-1 H AHOD" Limited Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for four (4) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 4, 2021

**Case Manager:** Justin Malone, Planner

**Property Owner:** NPSA, LLC

**Applicant:** WGI, Inc.

**Representative:** Megan Amitrano

**Location:** 507 Hays Street

**Legal Description:** Lot 9, Block 2, NCB 529,

**Total Acreage:** 0.2548

**Notices Mailed**

**Owners of Property within 200 feet:** 23

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

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

**Property Details**

**Property History:** The subject property is located within the original 36 miles of the city of San Antonio. The subject property was rezoned by Ordinance 70,785, dated December 14, 1989 to "R-2" Two-Family Residence District. Under the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the portion of the property zoned "R-2" Two-Family Residence District converted to "RM-4" Residential Mixed District. The property was then rezoned from "RM-4" Residential Mixed District to the current "R-6" Residential Single-Family District by Ordinance 2012-12-06-0953, dated December 6, 2012.

**Topography:** The property does not include any abnormal physical features such as slope or flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Single-Family Residential, Vacant Land

**Direction:** East

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

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

**Direction:** South

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Multifamily Residential

**Direction:** West

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

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

**Overlay and Special District Information:**

"H"

The surrounding properties are located in the Dignowity Hill Historic District, which was adopted in the 1840's. 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:** Hays Street

**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:** A Traffic Impact Analysis (TIA) is not required.

**Parking Information:** The minimum for IDZ-1 is waived.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of "R-6". 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 four (4) 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 Denial, with an Alternate Recommendation for "IDZ-1" Limited Density Infill Development Zone with uses permitted for three (3) units.

**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 found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. Although there is multi-family across the street, this side of the block is primarily single-family. The proposed density is too intense. Additionally, the site plan should be reviewed for appropriate lot coverage and compatibility within an Historic District.

## **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” with uses permitted for four (4) units is not a suitable density to the area. Staff recommends an Alternate Recommendation of “IDZ-1” with uses permitted for three (3) dwelling 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 / Eastside Reinvestment Plan:

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

The “IDZ” implements the following policies of the master plan:

- The applicant’s request 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.
- The applicant’s request meets the Master Plan’s Policy for Neighborhoods - Policy 2b, because it creates mixed-use districts.
- The applicant’s request meets 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 0.2548 acres, which would adequately support residential dwellings.

## **7. Other Factors:**

The applicant provided a site plan indicating four (4) residential units. 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.

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.