



# City of San Antonio

## Agenda Memorandum

**File Number:** 19-7177

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**Agenda Item Number:** 12.

**Agenda Date:** 10/1/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

ZONING CASE Z-2019-10700196

**SUMMARY:**

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

**Requested Zoning:** "IDZ-1 H AHOD" Light Intensity Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for two (2) residential units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 1, 2019

**Case Manager:** Dominic Silva, Senior Planner

**Property Owner:** Buck Benson

**Applicant:** Buck Benson

**Representative:** Buck Benson

**Location:** 910 North Hackberry Street

**Legal Description:** 0.1270 acres out of NCB 530

**Total Acreage:** 0.1270

**Notices Mailed**

**Owners of Property within 200 feet:** 26

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

**Applicable Agencies:** N/A

**Property Details**

**Property History:** The subject properties were included in the original 36 square miles of the City of San Antonio and were zoned “R-2” Residence District. The property converted to “RM-4” with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001. The subject property was then rezoned to “R-5” by Ordinance 2012-12-06-0953, dated December 6, 2012.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Residential

**Direction:** East

**Current Base Zoning:** “R-5”

**Current Land Uses:** Residential

**Direction:** South

**Current Base Zoning:** “R-5”

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** “IDZ”

**Current Land Uses:** Residential

**Overlay and Special District Information:**

"H"

The surrounding properties are located in the Dignowity Hill Historic District, which was adopted in December 8, 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:** North Hackberry Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes are within walking distance of the subject property.

**Thoroughfare:** Hays Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes are within walking distance of the subject property.

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

**Parking Information:** 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “R-5” Residential Single-Family District provides areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

**Proposed:** The proposed “IDZ-1” with uses permitted for two (2) residential units allow all of the above in addition having two (2) residential units.

**FISCAL IMPACT:**

None.

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

The subject property is located within ½ a mile of the Downtown Regional Center and within a 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 property is located within the Dignowity Hill Neighborhood Plan, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “IDZ-1” is consistent with the adopted land use designation as the uses and density are consistent.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The “IDZ-1” for two (2) units allows what a single-family zone would allow by right if the property was owner-occupied and there was a primary and accessory residential structure.

**3. Suitability as Presently Zoned:**

The current “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The requested “IDZ-1” maintains current the land use plan of the area as low density residential. It is also consistent with the existing and surrounding “IDZ” zoning.

#### **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 rezoning request does not appear to conflict with the land use goals and strategies of the North Sector Plan.

- Goal 8: Increase homeownership through infill development and housing rehabilitation.
- Goal 10: Preserve the unique historic character of Dignowity Hill.

"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 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.

- 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 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 4b, because it incentivizes property to encourage development in underutilized urban areas.

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

The subject property is 0.1270 acres, which would adequately support residential development.

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

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. On July 24, 2019, the HDRC moved to approve conceptual review of the project at 910 North Hackberry Street. The applicant must still submit final documentation and meet stipulations in order to receive written approval for the project.