



# City of San Antonio

## Agenda Memorandum

**File Number:**20-3928

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**Agenda Item Number:** Z-8.

**Agenda Date:** 8/6/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z-2020-10700074

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-3 MLR-2 AHOD" Residential Single-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard District

**Requested Zoning:** "R-3 MLOD-3 MLR-2 AHOD" Single-Family Residential Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 2, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Annie Gonzales

**Applicant:** Annie Gonzales

**Representative:** Annie Gonzales

**Location:** 1037 Dawson Street

**Legal Description:** the south 65 feet of Lot 9, Block 1, NCB 2872

**Total Acreage:** 0.0865

**Notices Mailed**

**Owners of Property within 200 feet:** 22

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

**Applicable Agencies:** Office of Historic Preservation, Martindale Army Airfield

### **Property Details**

**Property History:** The property is part of the original 36 Square Miles of San Antonio and was originally zoned "D" Apartment District. The property was rezoned from "D" Apartment District to "R-2" Two Family District by Ordinance 70785, on December 14, 1989. The subject property converted from "R-2" Two Family District to "RM-4" Residential Mixed District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001. The property was rezoned from "RM-4" to "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 incursion in a flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Single Family Dwelling

**Direction:** East

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

**Current Land Uses:** Single Family Dwelling

**Direction:** West

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

**Current Land Uses:** Single Family Dwelling

**Direction:** South

**Current Base Zoning:** "RM-4"

**Current Land Uses:** Single Family Dwelling

### **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.

"H"

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

"MLOD-3"

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

### **Transportation**

**Thoroughfare:** Dawson  
**Existing Character:** Local  
**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.  
Route Served: 24

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

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

**ISSUE:**  
None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “RM-4.” These districts provide 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. The maximum number of dwellings is limited to four (4) units for RM-4, given the minimum lot size of 4,000 square feet is met for the “RM-4” district.

**Proposed:** The proposed "R-3" allows a single-family dwelling with a minimum lot size of 3,000 square feet for R-3, 2,000 square feet for R-2 and 1,250 square feet for R-1 and a minimum lot width of 20 feet, designed to provide options for developing dwelling units for specialized housing markets such as affordable housing, starter homes, and empty nester homes.

**FISCAL IMPACT:**  
None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**  
The property is not part of a regional center but it is within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend 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 Dignowity Hill Neighborhood Plan and is designated as “Low Density Residential” in the future land use plan. The request is consistent with the current land use designation.

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

Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The area consists of mixed residential and residential single-family.

### **3. Suitability as Presently Zoned:**

The current “R-6” Residential Single Family District is not an appropriate zoning for the property, since the property does not meet the 6,000 square foot minimum lot size. The proposed “R-3” is a more suitable zoning district for the property and would enable the applicant to construct a single-family home on the property.

### **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:

Goal 8: Increase homeownership through infill development and housing rehabilitation

Goal 9: Well maintained and diverse housing stock

Objective 8.1: Decrease the number of vacant lots and housing through rehabilitation and marketing of properties for infill housing

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

The subject property is 0.0865 acres, which could reasonably accommodate requested single family use.

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

The applicant is requesting the zoning change to bring the property into compliance as it is currently a substandard lot for the requisite 6,000 square foot minimum lot size in the current “R-6” base zoning district.

The subject property is located within the Martindale Army Air Field Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to the 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.