



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6058

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**Agenda Item Number:** 3.

**Agenda Date:** 10/20/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

Zoning Case Z2020-10700182 CD

**SUMMARY:**

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

**Requested Zoning:** "R-5 CD H AHOD" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 20, 2020

**Case Manager:** Victoria Castro, Planner

**Property Owner:** Hatteras Homes, LLC

**Applicant:** Terry Richardson

**Representative:** Terry Richardson

**Location:** 622 Sherman Street

**Legal Description:** Lot 9, Block 1, NCB 1300

**Total Acreage:** 0.1587

**Notices Mailed**

**Owners of Property within 200 feet:** 32

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

**Applicable Agencies:** Office of Historic Preservation and Planning Department

### **Property Details**

**Property History:** The property was part of the Original 36 square miles and zoned “L” First Manufacturing District. The subject property was rezoned by Ordinance 70785, dated December 14, 1989, from “L” First Manufacturing District to “R-2” Two Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned “R-2” Two Family Residence District converted to “RM-4” Residential Mixed District. On December 6, 2012, the property was rezoned by Ordinance 2012-12-06-0953 from “RM-4” Residential Mixed District to “R-5” Residential Single-Family District.

**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:** “I-2”

**Current Land Uses:** Union Pacific Railroad Company

**Direction:** East

**Current Base Zoning:** “R-5”

**Current Land Uses:** Single-Family Residences and Duplex

**Direction:** South

**Current Base Zoning:** “R-5”

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

**Direction:** West

**Current Base Zoning:** “R-5”

**Current Land Uses:** Single-Family Residences and Vacant Lot

### **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:** Sherman Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property (Route 22)

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

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

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

**Proposed:** Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

The “CD” Conditional Use will allow for two (2) dwelling units.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The property is not within a Regional Center and is not 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 subject property is located within the Dignowity Hill Neighborhood Plan / Eastside Reinvestment Plan and is currently designated as “Low Density Residential” in the land use component of the plan. The requested “R-5” 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.

**3. Suitability as Presently Zoned:**

The existing “R-5” base zoning district is appropriate for the surrounding area. The proposed zoning maintains the current “R-5” base zoning district and the “CD” Conditional Use allows for two (2) dwelling units. The proposed residential development is a good use for the vacant lot. If the property were owner occupied, a second dwelling would be allowed by right with proper permitting. There is also an existing duplex located to the east of the subject property, thus an additional unit would not be uncharacteristic of the area.

**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 request does not appear to conflict with any public policy objective of the Dignowity Hill Neighborhood Plan / Eastside Reinvestment Plan, which encourages the following:

**Goal 8:** Increase homeownership through infill development and housing rehabilitation

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

**Goal 9:** Well maintained and diverse housing stock

**9.1.2.** Allow and encourage a mix of housing types inclusive of granny flats and accessory dwelling structures (see also the Future Land Use Plan)

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

The 0.1587 acre site is of sufficient size to accommodate the proposed 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. To date, no application has been made to the Historic and Design Review Commission for this project.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. The granting of the zoning with Conditional Use shall only be for the zoning case names in the ordinance approving the Zonind District with the specific Conditional Use provisions.

The applicant is requesting to rezone from “R-5” to “R-5 CD”, in order to allow for two (2) dwelling units.