



City of San Antonio

Agenda Memorandum

Agenda Date: March 1, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2022-10700005

(Associated Plan Amendment PA-2022-11600002)

SUMMARY:

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

Requested Zoning: "IDZ-1 H AHOD" Limited Intensity Infill Development Zone Historic Dignowity Hill Airport Hazard Overlay District with uses permitted for one (1) dwelling unit and "C-1" Light Commercial District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 1, 2022. This case is continued from the February 15, 2022 hearing.

Case Manager: Rebecca Rodriguez, Senior Planner

Property Owner: Shahram Mahmoudi

Applicant: Shahram Mahmoudi

Representative: Shahram Mahmoudi

Location: 917 Nolan Street

Legal Description: Lot 14, Block G, NCB 1659
Total Acreage: 0.2479

Notices Mailed

Owners of Property within 200 feet: 28

Registered Neighborhood Associations within 200 feet: Dignowity Hill Neighborhood Association

Applicable Agencies: Fort Sam Houston, Office of Historic Preservation

Property Details

Property History: The subject property was located within the original 36 square miles of the City of San Antonio and zoned “F” Local Retail District. The property was rezoned by Ordinance 70785, dated December 14, 1989, to “B-1” Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-1” Business District converted to the current “C-1” Light Commercial District. The property was rezoned by Ordinance 2012-12-06-0953, dated December 6, 2012, to the current “R-6” Residential Single-Family District.

Topography: The property does not include any abnormal physical features such as slope or incursion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: R-6

Current Land Uses: Single-Family Residence

Direction: South

Current Base Zoning: R-5

Current Land Uses: Vacant Commercial Building

Direction: East

Current Base Zoning: C-1

Current Land Uses: Assisted Living Facility

Direction: West

Current Base Zoning: IDZ

Current Land Uses: Auto Repair

Overlay District Information:

The Dignowity Hill Historic District, is an overlay district which was adopted in 1983. This district does not regulate use of the property, but does 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.

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Special District Information:

The Infill Development Zone (IDZ) District provides flexible standards for developments. IDZ may be approved as either a base zoning district or an overlay zoning district. Typically, IDZ gives flexibility to parking requirements, lots sizes, and setbacks.

Transportation

Thoroughfare: Nolan Street

Existing Character: Collector

Proposed Changes: None

Thoroughfare: North Pine Street

Existing Character: Collector

Proposed Changes: None

Public Transit: There are VIA bus routes within walking distance of the subject property.

Routes Served: 22, 222

Traffic Impact: Preliminary – Prior to submittal at time of building permit and/or plat site plan will be required (detailed review will be conducted at time of platting and/or permitting). All Substandard Street improvements can be reviewed as part of the associated plat, the option of submitting an SIP is also available which will be required at time of Building permit.

Parking Information: The minimum parking requirement for a restaurant is one (1) per 100 sf GFA and the minimum parking requirement for one (1) dwelling unit is one (1) per unit.

“IDZ-1” waives the minimum parking requirement.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: Allows rezoning requests up to 18 units per acre, and uses permitted in “C-1” and “O-1”. All approved uses must be requested and stated within the ordinance. Provide flexible standards for setbacks and parking for the development and reuse of underutilized parcels within a qualifying area of the city.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not within a Regional Center but is within the Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval, pending Plan Amendment.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject 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” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to Low Density Mixed Use. Staff recommends Approval. The Planning Commission recommendation is pending the February 23, 2022 hearing
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 proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “IDZ-1” Limited Intensity Infill Development Zone with uses permitted for one (1) dwelling unit and “C-1” Light Commercial District is also appropriate for the property. The proposal for this property is to integrate residential and commercial uses, while still limiting the intensity of commercial uses permitted in close proximity of a residential neighborhood. “IDZ-1” zoning districts have been established in this area thus, the requested does not appear out of character for the surrounding 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. The proposed zoning change will meet the following goals and principles of the Dignowity Hill Neighborhood Plan:
 - 9.1.2. Allow and encourage a mix of housing types inclusive of granny flats and accessory dwelling structures.
 - 9.4.2. Recommend also allowing mixed use with retail and commercial uses within public housing developments.
 - 12.1.1. Create/collaborate with a community development corporation to promote small businesses in the Dignowity Hill neighborhood.
 - 12.1.2. Encourage new small businesses to develop in Dignowity Hill such as small retail stores and restaurants.
 - 12.1.6. Encourage neighborhood commercial stores at Nolan and Pine

6. **Size of Tract:** The 0.2479 acre site is of sufficient size to accommodate the proposed residential and commercial development.
7. **Other Factors** 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. The Military has indicated that there are no objections to this request.

This property is designated in the Dignowity Hill Historic District. Any proposed exterior alterations associated with the proposal will require approval from the Office of Historic Preservation. Approval of a site plan or renderings 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 Office of Historic Preservation 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 applicant is requesting to rezone to "IDZ-1" Limited Intensity Infill Development Zone, in order to allow for a commercial development with one (1) residential unit.