



City of San Antonio

Agenda Memorandum

Agenda Date: August 18, 2022

In Control: City Council Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:

ZONING CASE Z-2022-10700133

SUMMARY:

Current Zoning: "RM-6 H AHOD" Residential Mixed Historic Dignowity Hill Airport Hazard Overlay District and "R-4 H AHOD" Residential Single-Family Historic Dignowity Hill Airport Hazard Overlay District

Requested Zoning: "RM-5 H AHOD" Residential Mixed Historic Dignowity Hill Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: June 21, 2022

Case Manager: Kellye Sanders, Senior Planner

Property Owner: Delafield Investments LLC

Applicant: Mint Development LLC

Representative: Ricardo Turrubiates

Location: 1012 North Cherry Street and 1014 North Cherry Street

Legal Description: Lot 5 and Lot 6, and the west 57 feet of the north 52.9 feet of Lot 10, Block 25, NCB 512

Total Acreage: 0.5767

Notices Mailed

Owners of Property within 200 feet: 56

Registered Neighborhood Associations within 200 feet: Dignowity Hill

Applicable Agencies: Office of Historic Preservation, Fort Sam Houston Military Notification Area

Property Details

Property History: The property was part of the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. It was rezoned by Ordinance 70785, dated December 14, 1985 to "B-2" Business District and "R-2" Two-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2" Business District converted to "C-2" Commercial District and "R-2" Two-Family Residence District converted to "RM-4" Residential Mixed District. The property was rezoned by Ordinance 2012-12-06-0953, dated December 6, 2012 to "RM-6" Residential Mixed and "R-4" 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-4

Current Land Uses: Residential Dwelling

Direction: South

Current Base Zoning: R-4

Current Land Uses: Residential Dwelling

Direction: East

Current Base Zoning: R-4

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: D

Current Land Uses: Residential Dwelling

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:

N/A

Transportation

Thoroughfare: North Cherry Street

Existing Character: Local

Proposed Changes: None Known

Public Transit: There is public transit within walking distance.

Routes Served: 22

Traffic Impact: *The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is Not Required.

Parking Information: The minimum parking requirement for Dwelling – 3 Family is 1.5 per unit. The maximum parking limit for Dwelling – 3 Family is 2 per unit.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "RM-6" Residential Mixed District allows single-family dwelling (detached, attached or townhouse), two-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 6,000 square feet and a minimum lot width of 15 feet, foster family home, public and private schools.

"R-4" Residential Single-Family District allows single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

Proposed Zoning: "RM-5" Residential Mixed District allows single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 5,000 square feet and a minimum lot width of 15 feet, public and private schools.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within ½ a mile from Downtown Regional Center and within ½ a mile from Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Denial.

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/ Eastside Reinvestment Plan and is currently designated as “Low Density Mixed Use” in the future land use component of the plan. The requested “RM-5” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does 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, but the adjacent properties are zoned “R-4” Residential Single-Family District and are largely developed with Residential Single-Family and some Two-Family units. Although there is "D" Downtown District zoning to the west of the property, it is isolated to that block, and most lots have an established use of Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing "RM-6" Mixed Residential District and “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “RM-5” Residential Mixed District brings higher density in comparison to the surrounding area and is not an appropriate zoning for the property. Additionally, the current "RM-6" Residential Mixed District already allows up to two (2) 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 request does not appear to conflict with any public policy objectives of the Dignowity Hill Neighborhood Plan/ Eastside Reinvestment Plan. The plan goals are as follows:

Goal 8: Increase homeownership through infill development and housing rehabilitation
Goal 10: Preserve the unique historic character of Dignowity Hill
6. **Size of Tract:** The 0.5767 acre site is of sufficient size to accommodate the proposed residential 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. JBSA does not object with this request, however there is an additional comment for consideration in planning and development. In order to mitigate potential interference with existing JBSA operational systems, please coordinate with 502 CS Spectrum Manager prior to use of any Spectrum dependent systems (i.e.: two-way radio communications, or any type of wireless technologies) during construction. If applicable, coordination is also requested by facility user prior to installation/use of any Spectrum dependent commercial or manufacturing equipment.

This property is located within the Dignowity Hill Historic District. Any new construction will require approval from the Office of Historic Preservation (OHP). 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.

An application for conceptual review of for new construction of six, 2-story residential structures was submitted and OHP staff did not recommend conceptual approval. The request received conceptual approval at the May 4, 2022, Historic and Design Review Commission (HDRC) hearing. The request for final approval for the request was submitted and OHP staff did not recommend final approval as there are conflicts with the Historic Design Guidelines. The request was heard by the HDRC on June 15, 2022, and the HDRC referred the request to be heard by the subcommittee, the Design Review Committee on June 21, 2022.

The applicant intends to construct six (6) detached residential units, three (3) units per lot.