



City of San Antonio

Agenda Memorandum

Agenda Date: December 2, 2021

In Control: City Council Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 2

SUBJECT:
ZONING CASE Z-2021-10700200 CD

SUMMARY:

Current Zoning: "RM-4 H AHOD" Residential Mixed Historic Dignowity Hill Airport Hazard Overlay District

Requested Zoning: "RM-4 CD H AHOD" Residential Mixed Historic Dignowity Hill Airport Hazard Overlay District with a Conditional Use for a Parking Lot

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 2, 2021. This case was continued from October 5, 2021 and October 21, 2021.

Case Manager: Rebecca Rodriguez

Property Owner: Merchants Ice LLC

Applicant: Barton Benson Jones

Representative: Buck Benson

Location: 103 Brown Street and 1403 East Houston Street

Legal Description: West 64.66 feet of the east 104.6 feet of Lot 9, and the east 99.78 feet of the west 104.18 feet of Lot 9, Block 17, NCB 568

Total Acreage: 0.2711

Notices Mailed

Owners of Property within 200 feet: 29

Registered Neighborhood Associations within 200 feet: Dignowity Hill Neighborhood Association

Applicable Agencies: Fort Sam Houston

Property Details

Property History: The property was located within the original 36 square miles of the City of San Antonio and zoned "J" Commercial District. The property was rezoned by Ordinance 70785, dated December 14, 1989, 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 the current "RM-4" Residential Mixed 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: RM-4

Current Land Uses: Single Family Residence

Direction: South

Current Base Zoning: I-1

Current Land Uses: Warehouse/Distribution Center

Direction: East

Current Base Zoning: IDZ

Current Land Uses: Vacant lot

Direction: West

Current Base Zoning: D

Current Land Uses: Medical research facility

Overlay District Information:

The Dignowity Hill Historic District, is a historic overlay district. 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:

None.

Transportation

Thoroughfare: Brown Street

Existing Character: Local

Proposed Changes: None

Thoroughfare: North Cherry

Existing Character: Collector

Proposed Changes: None

Public Transit: There are VIA bus routes are within walking distance of the subject property.
Routes Served: 24, 222

Traffic Impact: ROW dedication and improvement may be required along Cherry and Brown.

Parking Information: No minimum parking requirement for a parking lot.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “RM-4” Residential Mixed District allows single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

Proposed Zoning: “RM-4 CD” Residential Mixed District allows single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

The “CD” Conditional Use would allow a parking lot.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

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

RECOMMENDATION:

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

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 Mixed Use in the future land use component of the plan. The requested “RM-4” base zoning district is consistent with the future 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 proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “RM-4” Residential Mixed District is an appropriate zoning for the property and surrounding area. The proposed “RM-4 CD” Residential Mixed District with a Conditional Use for a parking lot is also appropriate as the subject site is located in a corner lot adjacent to properties zoned “D” Downtown District. This will allow for limited commercial development while also providing a buffer between neighboring properties zoned “RM-4” Residential Mixed Districts and “D” Downtown.
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.

Analysis: The subject property is located within the Dignowity Hill Neighborhood Association and the ongoing Eastside Community Area Plan. The site is located at the intersection of Brown Alley and North Cherry Street and is currently undeveloped. The proposed zoning change is requested to allow the site to be used for parking for an adjacent development.

Relevant Goals and Policies of the Comprehensive Plan may include:

GCF P5: Invest in needed amenities and infrastructure that will facilitate higher-density development in the city’s priority growth areas

GCF P8: Continue to focus on the revitalization of neighborhoods adjacent to downtown and extend these efforts to regional centers, urban centers, and transit corridors.

TC P21: Increase parking facility safety with design that minimizes conflicts between vehicles and people walking, and bicycling.

Relevant Goals, Objectives and Action Steps of the Dignowity Hill Neighborhood Plan may include: Low Density Mixed Use includes a mix of low intensity residential and commercial uses either on adjacent lots or integrated in one structure. The mix of uses within a block or building is to promote walkability and thus all mixed-use developments should be

designed for the pedestrian in mind. Compatibility between commercial and residential uses is recommended. Monument signs, shared parking located in back or to the rear of the structure, and limited curb cuts are encouraged.

6. **Size of Tract:** The 0.2711-acre site is of sufficient size to accommodate commercial uses and the proposed parking lot development.
7. **Other Factors:** The applicant intends to utilize the property as a 25-stall non-commercial parking lot for employees of the Velocity Center located adjacent to the subject property.

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 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 the 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 work at this location.