



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** January 27, 2022

**In Control:** City Council Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:**

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2021-10700224 CD

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 21, 2021

**Case Manager:** Rebecca Rodriguez, 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:** 42**Registered Neighborhood Associations within 200 feet:** Dignowity Hill Neighborhood Association**Applicable Agencies:** 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 “L” First Manufacturing District. The property was rezoned by Ordinance 70785, dated December 14, 1989, to “R-2” Business 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. The property was rezoned by Ordinance 2012-12-06-0953, dated December 6, 2012, 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 floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** I-2**Current Land Uses:** Union Pacific Railroad Company**Direction:** South**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residence**Direction:** East**Current Base Zoning:** R-5**Current Land Uses:** Duplex**Direction:** West**Current Base Zoning:** R-5**Current Land Uses:** Single-Family Residence**Overlay District Information:**

The Dignowity Hill Historic District, is an overlay district which was adopted in December 8, 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:**

None.

**Transportation**

**Thoroughfare:** Sherman

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Willow

**Existing Character:** Local

**Proposed Changes:** None

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

Routes Served: 22

**Traffic Impact:** ROW dedication and improvement may be required along Sherman.

**Parking Information:** The minimum parking requirement for a two (2) unit residential dwelling is one (1) per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** 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 Zoning:** 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 subject property is not within a Regional Center but is 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 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 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-5” Residential-Single Family District is an appropriate zoning for the property and surrounding area. The proposed “R-5 CD” Residential Single-Family District with a Conditional Use for two (2) units is also appropriate for this site. Between the years of 1989 through 2012, the surrounding area had a higher density residential zoning designation, which permitted for up to four (4) units. This resulted in numerous properties in the area to have more than one unit on the lot, including the property directly to the East of the subject site. The request will bring additional housing options to the Dignowity Hill neighborhood along with a decrease in the number of vacant lots in 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. The proposed zoning change will meet the following goals and principles of the Dignowity Hill Neighborhood Plan:
  - 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)
  - 9.1.3.** Recommend that any future high density housing be a first class property that contributes to the attractiveness of the neighborhood
  - Objective 9.4:** Enhance and maintain public housing so that it contributes to the beauty of the neighborhood
6. **Size of Tract:** The 0.1587-acre site is of sufficient size to reasonably accommodate a 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 applicant is requesting to rezone from “R-5” to “R-5 CD”, in order to allow for two (2) dwelling units.