



City of San Antonio

Agenda Memorandum

Agenda Date: August 15, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE ZONING-Z-2024-10700134 CD

SUMMARY:

Current Zoning: "R-6 RIO-5 AHOD" Residential Single-Family River Improvement Overlay 5 Airport Hazard Overlay District

Requested Zoning: "R-6 CD RIO-5 AHOD" Residential Single-Family River Improvement Overlay 5 Airport Hazard Overlay District with a Conditional Use for two (2) dwelling units

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: July 16, 2024

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: Grigorios Karavagelis

Applicant: Grigorios Karavagelis

Representative: Grigorios Karavagelis

Location: 330 Uvalde Street

Legal Description: Lot 1, Block 24, NCB 3579

Total Acreage: 0.1607 acres

Notices Mailed

Owners of Property within 200 feet: 26

Registered Neighborhood Associations within 200 feet: None

Applicable Agencies: Office of Historical Preservation, World Heritage Organization, Planning Department

Property Details

Property History: The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned "B" Residence District. The property was rezoned by Ordinance 61454, dated September 19, 1985, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

Code & Permitting Details:

Residential Building Permit Application (RES-RBP-APP23-35502401) June 2023

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: "R-6"

Current Land Uses: Single-Family Dwelling

Direction: East

Current Base Zoning: "R-6"

Current Land Uses: Single Family Dwelling

Direction: South

Current Base Zoning: "R-6"

Current Land Uses: Single Family Dwelling

Direction: West

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Dwelling

Overlay District Information:

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.

The "RIO-5" River Improvement Overlay 5 District is an overlay district to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines.

Special District Information:

There is no special district information.

Transportation

Thoroughfare: Uvalde Street

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Whiting Avenue

Existing Character: Local

Proposed Changes: None Known

Public Transit: There are no VIA bus routes within walking distance of the subject property.

Routes Served: None

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: The minimum parking requirement for Dwelling – 2 Family is 1 space per unit.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "R-6" Residential Single-Family District allows for a 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: "R-6 CD" Residential Single-Family District allows for a 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.

If approved, the Conditional Use would permit two (2) dwelling units.

FISCAL IMPACT:

None

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center but is within a ½ mile of the Rockport Subdivision Metro Premium Plus 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 South Central San Antonio Community Plan, adopted August 19, 1999, updated October 26, 2005, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-6” 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. Surrounding zoning districts include “R-6” Residential Single-Family and “C-2NA” Commercial Nonalcoholic Sales District.
3. **Suitability as Presently Zoned:** The current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” Residential Single-Family District with a Conditional Use for two (2) dwelling units is also appropriate. The proposal would retain the single-family base zoning, while allowing for the consideration of two dwelling units. The prescribed site plan prevents expansion of the building footprint and ensures adequate parking is available for the proposed units. Deviation from the approved document could potentially warrant additional council consideration. Furthermore, the request aligns with the goals of the Strategic Housing Implementation Plan (SHIP) which supports the development of additional and alternate housing types to accommodate the City’s growing population, at all income levels.
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. Relevant Goals and Policies of the Comprehensive Plan may include:
 - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
 - H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.

Relevant Goals and Objectives of the South Central San Antonio Community Plan may include:

- Goal 1: Maintain and build on the old-fashioned neighborhood character of South Central San Antonio
 - o Objective 2 – Housing: Encourage the rehabilitation of existing homes and the construction of new housing.
- Goal 2: Improve the overall quality of life in South Central San Antonio through the development and implementation of the South Central San Antonio Community Plan.

- Objective 1 – Implementation: Ensure the implementation of the goals, objectives, strategies, and major action steps included in the South Central San Antonio Community Plan.
6. **Size of Tract:** The subject property is 0.1607 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** 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 has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The applicant intends to rezone to “R-6 CD” to allow for two (2) dwelling units.

The proposed rezoning maintains the residential base district but is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.