



City of San Antonio

Agenda Memorandum

Agenda Date: May 6, 2025

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2025-10700074 CD

SUMMARY:
Current Zoning: "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

Requested Zoning: "R-4 CD AHOD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for four (4) dwelling units

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: May 6, 2025

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: STMA Realty, LLC

Applicant: Stefan Tica

Representative: Teresa Brown

Location: 378 East Petaluma Boulevard

Legal Description: The east 102.13 feet of the west 271.69 feet of the north 428.38 feet of Lot 14, NCB 11155

Total Acreage: 1.005 acres

Notices Mailed

Owners of Property within 200 feet: 27

Registered Neighborhood Associations within 200 feet: Harlandale – McCollum Neighborhood Association

City-Wide Community Organizations: Women in Film & Television San Antonio, San Antonio African American Community Archive and Museum

Applicable Agencies: Stinson Airport, Planning Department

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned “B” Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property converted to the current “R-4” Residential Single-Family District.

Code & Permitting History:

Zoning UDC Investigation (INV-ZRD-25-3170000559) February 2025

Nonconforming Use/Development Preservation Rights Application - Denied (ZONING-NCU-APP-2022-11200103) July 2022

Code & Permitting History:

Zoning UDC Investigation (INV-ZRD-25-3170000559) February 2025

Nonconforming Use/Development Preservation Rights Application - Denied (ZONING-NCU-APP-2022-11200103) July 2022

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

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “R-4”

Current Land Uses: Church, Single-Family Dwellings

Direction: East

Current Base Zoning: “R-4”

Current Land Uses: Single-Family Dwellings

Direction: South

Current Base Zoning: “R-4”

Current Land Uses: Single-Family Dwellings

Direction: West

Current Base Zoning: “R-4”

Current Land Uses: Single-Family Dwellings

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.

Special District Information:

N/A

Transportation

Thoroughfare: East Petaluma Boulevard

Existing Character: Local

Proposed Changes: None Known

Public Transit: There are VIA bus routes within a ½ mile of the subject property.

Routes Served: 43, 243

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 - 4 FAMILY cluster parking allowed is 1.5 spaces per unit.

ISSUE:

None

ALTERNATIVES:

Current Zoning: 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: 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.

The "CD" Conditional Use is for four (4) dwelling units.

FISCAL IMPACT:

None

PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends 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 Stintson Airport Vicinity Land Use Plan adopted in 2009 and is currently designated as Low Density Residential in the future land use component of the plan. The requested “R-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 inconsistent with the established development pattern of the surrounding area. Surrounding properties are “R-4” Residential Single-Family District. Surrounding properties are “R-4” Residential Single-Family District.
- 3. Suitability as Presently Zoned:** The existing “R-4” is an appropriate zoning for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family District with a Conditional Use for four (4) dwelling units is also appropriate. The request to rezone is to bring the existing dwelling units on the property into conformance with city code. Given the abutting residential uses and zones, staff finds that the request is consistent with the current development in the area. Additionally, the applicant will have to adhere to the prescribed site plan required for Conditional Use zoning, and any deviation from the approved document could potentially warrant additional council consideration. The request to rezone is to bring the existing dwelling units on the property into conformance with city code. Given the abutting residential uses and zones, staff finds that the request is consistent with the current development in the area. Additionally, the applicant will have to adhere to the prescribed site plan required for Conditional Use zoning, and any deviation from the approved document could potentially warrant additional council consideration. The proposed zoning is also consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of 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 public policy. Relevant Goals and Policies of the SA Tomorrow Comprehensive Plan: - 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. - 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. - H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects. Relevant Goals and Objectives from the Stintson Airport Vicinity Land Use Plan may include: - Goal 1: Protect quality of life of residents including health, safety, and welfare o Objective 1.1: Protect integrity of existing residential 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.
- H P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

Relevant Goals and Objectives from the Stinson Airport Vicinity Land Use Plan may include:

- Goal 1: Protect quality of life of residents including health, safety, and welfare
 - o Objective 1.1: Protect integrity of existing residential neighborhoods

6. **Size of Tract:** The subject property is 1.005 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 is rezoning to bring the existing dwelling units on the property into conformance with city code.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses. The applicant is proposing the use of four (4) 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.