



City of San Antonio

Agenda Memorandum

Agenda Date: January 7, 2025

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 7

SUBJECT:

ZONING CASE Z-2024-10700007 CD

SUMMARY:

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

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: January 7, 2025

Case Manager: Alexa Retana, Zoning Planner

Property Owner: Kimberly Rodriquez

Applicant: Sergio Nunez

Representative: Sergio Nunez

Location: 327 Bexar Drive

Legal Description: Lot 17, Block 7, NCB 8099

Total Acreage: 0.2824 acres

Notices Mailed

Owners of Property within 200 feet: 29

Registered Neighborhood Associations within 200 feet: N/A

City-Wide Community Organizations: T.H.U.G.G.I.N. for Christ, Women in Film & Television
San Antonio, NES Foundation, Lifeline Overeaters Anonymous
Applicable Agencies: Planning Department

Property Details

Property History: The property was annexed into the of City of San Antonio by Ordinance 1450, dated October 11, 1944, and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property was converted into the current "R-4" Residential Single-Family District.

Code & Permitting History:

There is no code enforcement or permitting history for the subject property.

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: Residential Dwellings

Direction: South

Current Base Zoning: R-4

Current Land Uses: Residential Dwellings

Direction: East

Current Base Zoning: R-4

Current Land Uses: Residential Dwellings

Direction: West

Current Base Zoning: R-4

Current Land Uses: Residential 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:

None.

Transportation

Thoroughfare: Bexar Drive

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Wine Cup Drive
Existing Character: Local
Proposed Changes: None known.

Public Transit: There is public transit within walking distance of the subject property.
Routes Served: 509

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 cluster parking allowed is 1 space per dwelling unit, plus 1 space per additional detached dwelling unit.

ISSUE:
None.

ALTERNATIVES:

Current Zoning: “R-4” Residential Single-Family District allows for 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: “R-4 CD” Residential Single-Family District allows for 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 would allow for four (4) 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 ½ a mile of the General McMullen-Babcock Metro Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial, with an Alternate Recommendation of “R-4 CD” Residential Single-Family with a Conditional Use for three (3) dwelling units.

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 Near Northwest Community Plan, adopted in 2002, 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 find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area. Surrounding properties are “R-4” Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing "R-4" Residential Single-Family District 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 not. Surrounding properties are zoned “R-4” Residential Single-Family, many of which benefit from the “B” to “R-4” conversion which permits a duplex, and the proposed four (4) dwelling units would introduce a density inconsistent with the area. The lot size of the subject property is 12,300 square feet which could potentially support up to three (3) lots, if subdivided under the current “R-4” zoning. Thus, staff recommends an alternate recommendation of “R-4 CD” Residential Single-Family District with a Conditional Use for three (3) dwelling units. This would allow for the additional density which would utilize the current structures on the property while still maintaining the character of the neighborhood.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with public policy. Relevant Goals and Policies of the Near Northwest Community Plan may include:
 - Objective 3.3: Design Standards
 - o Protect and preserve the Near North-west’s unique housing character.
 - Objective 3.4: Housing Development
 - o Encourage new housing development that is compatible with the community’s character.
 - Action Step 3.4.1: Encourage new developments to reflect the character of the surrounding areas including the provision of alleys.
6. **Size of Tract:** The subject property is 0.2824 acres, which cannot 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 develop four (4) dwelling units.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses.

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.