



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** April 1, 2025

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2025-10700028 CD S

**SUMMARY:**

**Current Zoning:** "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for two (2) residential dwelling units

**Requested Zoning:** "NC CD S AHOD" Neighborhood Commercial Airport Hazard Overlay District with a Conditional Use for a Rooming House and a Specific Use Authorization for a Bed and Breakfast

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 1, 2025. This case was continued from the March 18, 2025, hearing.

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** Dryvn Systems LLC

**Applicant:** Nathan Moore

**Representative:** Nathan Moore

**Location:** 1837 Santa Monica

**Legal Description:** Lot 19, Block 37, NCB 8805

**Total Acreage:** 0.1377 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 36

**Registered Neighborhood Associations within 200 feet:** Los Angeles Heights Neighborhood Association, San Antonio Texas District One Resident Association

**City-wide Community Organizations:** Women in Film & Television San Antonio

**Applicable Agencies:** Office of Historic Preservation, Planning Department

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1845, dated May 5, 1940, and zoned "D" Apartment District. The property was rezoned by Ordinance 69075, dated March 16, 1989, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "R-1" Single-Family Residence District converted to "R-6" Residential Single-Family District. The property was rezoned by Ordinance 2019-05-16-0412, dated May 16, 2019, to the current "R-6 CD" Residential Single-Family District with a Conditional Use for two (2) dwelling units.

### **Code & Permitting Details:**

Change of Zoning (ZONING-Z-2019-10700062) March 2019

Plan Amendment (ZONING-PA-2019-11600025) April 2019

Short Term Rental (STR) Permit Renewal (STR-23-13600141) December 2023

Short Term Rental (STR) Permit Renewal (STR-23-13600140) December 2023

Short Term Rental (STR) Permit (STR-24-13500546) July 2024

**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:** "C-1", "R-4", "O-1.5"

**Current Land Uses:** Beauty Shop, Photography Studio, Retail, Vacant, Auto Repair Shop

**Direction:** East

**Current Base Zoning:** "R-4"

**Current Land Uses:** Single Family Dwellings

**Direction:** South

**Current Base Zoning:** "C-1", "R-4", "NC"

**Current Land Uses:** Single-Family Dwellings, Offices, Church

**Direction:** West

**Current Base Zoning:** "C-1", "R-6"

**Current Land Uses:** Single Family Dwellings, Offices

**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:** Santa Monica

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** West Avenue

**Existing Character:** Minor Secondary Arterial B

**Proposed Changes:** None Known

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

**Routes Served:** 97, 296, 651, 509

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for Rooming House is 1 space per guest room plus 2 spaces for owners section. The minimum parking requirement for a Bed and Breakfast is One (1) off-street parking space per guest room in addition to the required off-street parking for the owner/operator.

**ISSUE:**

None

**ALTERNATIVES:**

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

The "CD" Conditional Use for two (2) dwelling units.

Proposed Zoning: "NC CD S" Neighborhood Commercial District provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

The "CD" Conditional Use is for a Rooming House and "S" Specific Use is for a Bed and Breakfast.

**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 but is within ½ a mile from the Zarzamora and Fredericksburg Metro Premium Plus Transit Corridors.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of "R-6 CD" Residential Single-Family District with a Conditional Use for a Rooming House.

**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 "Urban Low-Density Residential" in the future land use component of the plan. The requested "NC" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Neighborhood Commercial". Staff recommends Denial. Planning Commission recommends Approval.
2. **Adverse Impacts on Neighboring Lands:** Staff finds 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 zoned "R-4", "R-6" Residential Single-Family District, "C-1" Light Commercial District, and "O-1.5" Mid-Rise Office District.
3. **Suitability as Presently Zoned:** The existing "R-6 CD" Residential Single-Family District with a Conditional Use for two (2) dwelling units is an appropriate zoning for the property and surrounding area. The proposed "NC CD S" Neighborhood Commercial District with a Conditional use for a Rooming House and a Specific Use Authorization for a Bed and Breakfast is not appropriate. The applicant's request is to develop a Rooming House. The additional request for a Bed and Breakfast allow for the possibility of a B&B and other neighborhood commercial uses in the future. Staff has concerns that the proposed uses are inappropriately located, abutting single-family residential, and further the potential for future commercial encroachment into an established residential neighborhood. Additionally, the size of the subject property has spatial limitations preventing proper parking and adequate buffers.
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 SA Tomorrow Comprehensive Plan:

- GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
- GCF P10: Develop a plan to preserve and maintain affordable housing within revitalizing neighborhoods and along transit corridors.
- GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.

Relevant Goals and Objectives from the Near Northwest Community Plan may include:

- Goal 3 - Housing Preserve and revitalize the community's unique mix of quality housing.
  - o Objective 3.4: Housing Development Encourage new housing development that is compatible with the community's character.

**6. Size of Tract:** The 0.1377-acre site is not of sufficient size to accommodate the proposed commercial development.

**7. Other Factors:** The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

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 rezoning will allow a Rooming House and use of a Bed and Breakfast, as well as all other uses allowed in the "NC" Neighborhood Commercial District.

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

The applicant will be required to request variances to parking and landscape buffer requirements from the Board of Adjustment. If the process is not completed or the Board does not grant the variances the applicant will need to meet the parking and landscape buffer requirements, as well as the lot and building regulations of the Unified Development Code (UDC) and International Building Code (IBC).