



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 5, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2024-10700251

**SUMMARY:**

**Current Zoning:** "O-2 AHOD" High-Rise Office Airport Hazard Overlay District

**Requested Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 5, 2024

**Case Manager:** Bronte Frere, Zoning Planner

**Property Owner:** R&H Home Sales, LLC

**Applicant:** Julian Lucero

**Representative:** Julian Lucero

**Location:** 1742 Basse Road and 255 Venice Street

**Legal Description:** Lot 1 and Lot 14, Block 1, NCB 9765

**Total Acreage:** 0.2683 acres

**Notices Mailed****Owners of Property within 200 feet:** 25**Registered Neighborhood Associations within 200 feet:** North Central Neighborhood Association, San Antonio Texas District One Resident Association**Applicable Agencies:** Planning Department**Property Details**

**Property History:** The properties were annexed into the City of San Antonio by Ordinance 10422, dated September 7, 1949, and by Ordinance 10161, dated July 27, 1949, and zoned "B" Residence District. The properties were rezoned by Ordinance 79028, dated November 12, 1993, to "O-1" Office District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned "O-1" Office District converted to the current "O-2" High-Rise Office District.

**Code & Permitting Details:** There is no code enforcement of 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," "C-2"**Current Land Uses:** Single-Family Dwellings, Church**Direction:** South**Current Base Zoning:** "R-4"**Current Land Uses:** Single-Family Dwellings**Direction:** East**Current Base Zoning:** R-4," C-1," "C-2"**Current Land Uses:** Single-Family Dwellings**Direction:** West**Current Base Zoning:** "R-4," "C-2"**Current Land Uses:** High School**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:** Basse Road

**Existing Character:** Secondary Arterial Type B

**Proposed Changes:** None known.

**Thoroughfare:** Venice Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** Capitol Avenue

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 505, 651

**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 a single-family dwelling is 1 parking space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “O-2” High-Rise Office Districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

Proposed Zoning: “R-5” Residential Single-Family Districts permit 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.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

Subject property is not located within a Regional Center or within ½ a mile from a 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 Greater Dellview Area Community Plan, adopted in September 2005, and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “R-5” 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 properties are “R-4” Residential Single-Family District, “C-1” Light Commercial District, and “C-2” Commercial District.
- 3. Suitability as Presently Zoned:** The existing “O-2” High-Rise Office District is not appropriate zoning for the property and surrounding area. The proposed “R-5” Residential Single-Family District is much more consistent zoning for the property and surrounding area. The proposed “R-5” permits single-family residential use which abuts the property to the east and is generally common in the surrounding area. The request also supports the Strategic Housing Implementation Plan which encourages additional housing for the growing San Antonio 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.
  - Housing 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 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
  - Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals, Objectives and Action Steps of the Greater Dellview Area Community Plan may include:

- Goal 5: Housing Promote a community of abundant, diverse, affordable, and quality housing stock while diminishing obstacles to home ownership and long term investment in the area.
- Objective 5.1: Housing Quality and Quantity Promote an attractive environment for homeownership by ensuring maintenance of existing housing stock, reinvestment and rehabilitation of deteriorating housing stock, and the promotion and development of new housing stock.
- 5.1.4 Diminish occurrences of commercial encroachment into residential areas.

- 5.1.5 Encourage and facilitate the development of quality infill housing where appropriate.
  - Objective 5.2: Housing Design Standards and Certainty Promote best urban planning and design practices and ensure that housing upgrades and new developments are consistent with the characteristics of existing valued development.
- 6. Size of Tract:** The 0.2683 acre site is of sufficient size to accommodate the proposed residential and commercial development.
- 7. Other Factors:** The zoning change request is to allow for the development of single-family dwellings.

The proposed rezoning is for a residential base district but 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.