



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 20, 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-2025-10700085

**SUMMARY:**

**Current Zoning:** "R-5" Residential Single-Family

**Requested Zoning:** "RM-5" Residential Mixed District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 20, 2025. This case was continued from the May 6, 2025, hearing.

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Jerome Cohen and Marvin Jalnos

**Applicant:** Baltazar Serna

**Representative:** Baltazar Serna

**Location:** 119 Algerita Drive

**Legal Description:** 1.075 acres out of NCB 11649

**Total Acreage:** 1.075

**Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** San Antonio Texas District One Residents Association

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

**Applicable Agencies:** Planning Department

### **Property Details**

**Property History:** The property was annexed into the of City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned “A” Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property zoned “A” Residence District converted to the current “R-5” Residential Single-Family District.

### **Code & Permitting History:**

STR-25-13400089 – Short Term Rental Permit Application – March 2025

STR-25-13400088 – Short Term Rental Permit Application – January 2025

STR-22-13400078 – Short Term Rental Permit – January 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-6 PUD

**Current Land Uses:** Residential Dwellings

**Direction:** South

**Current Base Zoning:** R-5

**Current Land Uses:** Residential Dwellings, Church

**Direction:** East

**Current Base Zoning:** R-5

**Current Land Uses:** Residential Dwellings

**Direction:** West

**Current Base Zoning:** R-5

**Current Land Uses:** Residential Dwellings, Church

### **Overlay District Information:**

None.

### **Special District Information:**

None.

### **Transportation**

**Thoroughfare:** Algerita Drive

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Vance Jackson Road

**Existing Character:** Secondary Arterial type A

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 96, 602

**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 – 3 Family cluster parking allowed is 1.5 spaces per dwelling unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-5” Residential Single-Family District allows for 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.

Proposed Zoning: “RM-5” Residential Mixed District allows for single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 5,000 square feet and a minimum lot width of 15 feet, public and private schools.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate Recommendation of “R-5 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 North Sector Plan, adopted August 5, 2010, and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “RM-5” 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-5” Residential Single-Family.
3. **Suitability as Presently Zoned:** The existing "R-5" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "RM-5" Residential Mixed District is not. Surrounding properties are zoned “R-5” Residential Single-Family and the proposed “RM-5” Residential Mixed District would be inconsistent with the current character of the neighborhood. The requested zoning is to permit the existing three (3) detached dwelling units on the property. Thus, staff recommends an Alternate Recommendation of “R-5 CD” Residential Single-Family with a Conditional Use for three (3) dwelling units which would require adherence to a prescribed site plan. 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 North Sector Plan may include:
  - Goal LU-1: Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable.
  - LU-5.2: Encourage development and preservation of diverse and distinctive neighborhoods that build on the patterns of the natural landscape and are sensitive to their locations and historic contexts.
  - LU-6.5: Encourage development that is visually and functionally compatible with its surrounding neighborhoods by maintaining a massing and density of development that is compatible with adjacent developed neighborhoods.
6. **Size of Tract:** The subject property is 1.075 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single family use, the height is restricted to the maximum height of the single family district within 50 feet of the property line.

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.

