



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 7, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**  
ZONING CASE Z-2023-10700273

**SUMMARY:**

**Current Zoning:** “I-1 AHOD” General Industrial Airport Hazard Overlay District

**Requested Zoning:** “R-6 AHOD” Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 7, 2023

**Case Manager:** Forrest Wilson, Principal Planner

**Property Owner:** Dexter Mickens-Blair

**Applicant:** Dexter Mickens-Blair

**Representative:** Gregg Mickens-Blair

**Location:** 1223 North Olive Street

**Legal Description:** Lot 16 and the North 2.07 feet of 15, Block 25, NCB 507

**Total Acreage:** 0.1612

**Notices Mailed****Owners of Property within 200 feet:** 17**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Planning, Fort Sam Houston**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "L" First Manufacturing District. The property was rezoned by Ordinance 70785, dated December 14, 1989, from "L" First Manufacturing District to "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "I-1" Light Industry District converted to "I-1" General Industrial District.

**Code & Permitting Details:**

Short-Term Rental Code Investigation - INV-PST-INV23-3010001639 – August 2023

There is no permitting history for the subject property.

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

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:****Current Land Uses:** Vacant**Direction:** East**Current Base Zoning:****Current Land Uses:** Commercial Charter Buses**Direction:** South**Current Base Zoning:****Current Land Uses:** Single-Family**Direction:** West**Current Base Zoning:****Current Land Uses:** Advertising Agency**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:** North Olive Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is no public transit within walking distance of the subject property.

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT. A Traffic Impact Report is not required.

**Parking Information:** The minimum parking requirement for a single-family dwelling is 1 parking space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** The general industrial district accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**Proposed Zoning:** 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.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center, but it is within 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 Arena District/Eastside Community Plan, adopted December 2003, and is currently designated as "Medium Density Residential" in the future land use component of the plan. The requested "R-6" 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.
3. **Suitability as Presently Zoned:** The current "I-1" General Industrial District is not an appropriate zoning for the property as it is inconsistent with the established development pattern of the surrounding area. The subject property is surrounded by a mix of residential and commercial uses, including single-family homes, a charter bus company, and an advertising agency. The property includes a single-family house constructed in 1900, predating zoning regulations, which classifies it as an existing nonconforming structure. The requested "R-6" Residential Single-Family District is an appropriate zoning for the property as it is a downzoning that aligns with the medium density residential land use designation, and the surrounding uses. By maintaining consistency with the surrounding environment, the proposed residential zoning change promotes a sense of continuity and integration, reinforcing the identity of the neighborhood.
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 the following public policy objectives of the Arena District/Eastside Community Plan. Land Use Guiding Principles 2.1 Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations. 2.2 Protect the neighborhoods by providing them with the necessary improvements to enable infill development and redevelopment. Land Use Plan Goals 4.1 Conserve existing neighborhoods

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.
- GCF P13: Evaluate commercial and industrial land use and zoning designations in the core of the city, regional centers, urban centers and primary transit corridors to determine areas that could be converted to residential or mixed-use.
- 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.

Relevant Goals and Principles of the Arena District Eastside Community Plan may include:

- Land Use Vision: Existing neighborhoods are conserved and protected by appropriate adjacent and internal uses.
- Land Use Guiding Principle 2.1: Establish a land use pattern that is responsive to the existing context and is founded upon realistic market expectations.
- Land Use Plan Goal 4.1: Conserve existing neighborhoods.

6. **Size of Tract:** The 0.1612 acre site is of sufficient size to accommodate the existing single-family dwelling.

7. **Other Factors:** The subject property is located within the Fort Sam Houston Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The proposed rezoning 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.