



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 17, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 2

**SUBJECT:**

ZONING CASE Z-2024-10700196 CD

**SUMMARY:**

**Current Zoning:** "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2024

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

**Property Owner:** Edward Reyes Jr and Matthew James Garcia Reyes

**Applicant:** Andrew Blouet

**Representative:** Andrew Blouet

**Location:** 743 Essex Street

**Legal Description:** The east 15 feet of Lot 45 and the west 20 feet of lot 46, Block 35, NCB 1633

**Total Acreage:** 0.1205 Acres

**Notices Mailed****Owners of Property within 200 feet:** 27**Registered Neighborhood Associations within 200 feet:** Denver Heights Neighborhood Association**Applicable Agencies:** N/A**Property Details**

**Property History:** The subject property is part of the original 36 square miles of the City of San Antonio and was originally zoned "B" Residence District. The property was rezoned by Ordinance 79329, dated December 16, 1993, to "R-2" Two-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, "R-2" Two-Family Residence District converted to the current "RM-4" Residential Mixed District.

**Code & Permitting Details:**

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 incursion in a floodplain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "RM-4"**Current Land Uses:** Single Family Dwellings**Direction:** East**Current Base Zoning:** "RM-4"**Current Land Uses:** Single Family Dwellings**Direction:** South**Current Base Zoning:** "RM-4"**Current Land Uses:** Single Family Dwellings**Direction:** West**Current Base Zoning:** "RM-4"**Current Land Uses:** Single Family 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:** Essex Street**Existing Character:** Local**Proposed Changes:** None**Thoroughfare:** Saint Anthony Avenue**Existing Character:** Local**Proposed Changes:** None**Public Transit:** There is no public transit within walking distance of the subject property.**Routes Served:** None**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 Professional Office is 1 space per 300 sf GFA.**ISSUE:**

None

**ALTERNATIVES:** "RM-4" Residential Mixed District permits a single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

Current Zoning:

Proposed Zoning: "R-4 CD" Residential Single-Family District permits a 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 is for a Professional Office.

**FISCAL IMPACT:**

None

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

The subject property is not located within a Regional Center but is located within ½ a mile from the New Braunfels Ave Metro Premium Plus 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 Eastside Area Community Plan, adopted in 2024, and is currently designated as "Urban 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 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 existing "RM-4" Residential Mixed 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 a Professional Office is appropriate zoning for the property and surrounding area. The applicant is rezoning to expand their home-based counseling services to better serve the surrounding community. Additionally, they will have to adhere to the prescribed site plan that regulates various development aspects such as unit layout, size, and the layout of the parking. Any deviation from the approved document could potentially warrant additional council consideration.
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 objective. 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.
  - H P30: Ensure infill development is compatible with existing neighborhoods.
  -Relevant Goals and Policies of the Eastside Area Community Plan may include:
  - Goal 1: Community Stability and Inclusion
    - o Residents and businesses will maintain and enhance neighborhood character in order to provide stability to the area.
  - Economic Development Strategy 1.1: Support the creation of neighborhood business improvement districts or other public-private partnerships that enable local business owners to act collectively to invest in and improve the physical environment around their establishments.
6. **Size of Tract:** The 0.1205-acre site is of sufficient size to accommodate the proposed commercial 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 a home-based counseling service.

The following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

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