

Case Number:	BOA-22-10300059
Applicant:	Tracy Chell
Owner:	Tracy Chell
Council District:	2
Location:	132 Carnahan Street
Legal Description:	Lot 14, Block 1, NCB 2923
Zoning:	“IDZ” Infill Development Zone District with uses permitted in “RM-4” Residential Mixed District
Case Manager:	Joshua Orton, Senior Planner

Request

A request for a Special Exception to allow one (1) Type 2 Short Term Rental per the UDC Section 35-482(i).

Executive Summary

The subject property is generally located on the corner of Carnahan Street and Catalpa Avenue. The property currently has a single-family dwelling located within a townhome subdivision. Surrounding uses consist of townhomes, restaurants, and park land. There is currently one other Type 2 STR Permit issued on the same block face.

The applicant is seeking a special exception to allow for the operation of one (1) Type 2 short term rental unit, in addition to the other one (1) unit currently permitted on the same block face. A unit is defined as having its own distinct sleeping area, kitchen, and bathroom. Type 2 indicates that the owner/operator of the property does not occupy the site as their permanent legal residence.

Per the recently adopted code, Type 2 Short Term Rentals shall be limited to no more than one-eighth (12.5 percent) of the total number of single-family, duplex, triplex, or quadplex units on the block face. At least one (1) Type 2 Short Term Rental shall be permitted per block face, regardless of the total number of units on the block face.

In this case, the block face is defined as the southwest side of Carnahan Street from Catalpa Avenue to Broadway Street. There are five (5) total units on the block face, resulting in one (1) Type 2 Short Term Rental unit permitted by right. One (1) Type 2 Short Term Rental Permit has already been approved by right on the block face. Any other Type 2 Short Term Rentals on this block face must seek a Special Exception from the Board of Adjustment. If this special exception is approved, there will be a total of two (2) Type 2 Short Term Rentals on this block face, totaling 60.0% of the current units.

Code Enforcement History

There are no pending code violations for the subject property.

Permit History

No Short Term Rental Permits have been issued for the subject property address.

Zoning History

The subject property is within the original city limits of San Antonio and was zoned “B” Two Family Residence District. A portion of the property was rezoned from “B” Two Family Residence District to “B-2” Business District by Ordinance 48145 dated June 17, 1977. Upon adoption of the 2001 Unified Development Code, the zoning converted from “B” Two Family Residence District

and “B-2” Business District to “C-2” Commercial District and “R-4” Residential Single-Family District, established by Ordinance 93881, dated May 3, 2001. A portion of the property was rezoned from “C-2” Commercial District and “R-4” Residential Single-Family District to “IDZ” Infill Development Zone District by Ordinance 2013-08-15-0552 dated August 15, 2013. The property was rezoned from “IDZ” Infill Development Zone District and “R-4” Residential Single-Family District to “IDZ” Infill Development Zone District with uses permitted in “RM-4” Residential Mixed District by Ordinance 2016-03-03-0178, dated March 3, 2016.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“IDZ” Infill Development Zone District with uses permitted in “RM-4” Residential Mixed District	Single-Family Residential

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“IDZ” Infill Development Zone District	Single-Family Residential
South	“R-4” Residential Single-Family District	Park land
East	“C-2” Commercial District	Restaurants
West	“R-4” Residential Single-Family District	Single-Family Residential

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the Mahncke Park Community Plan and currently designated as “Neighborhood Mixed-Use” in the future land use component of the plan. The subject property is located within the boundaries of the Mahncke Park Neighborhood Association and as such, they were notified of the case.

Street Classification

Paul Street is classified as a local street.

Criteria for Review

According to Section 35-374.01 of the UDC, in order for a special exception to be granted, the applicant must demonstrate all of the following:

A. The special exception will not materially endanger the public health or safety.

The applicant is requesting the special exception to obtain one (1) Type 2 STR Permit in addition to the one (1) active Type 2 STR Permit on the block face. The subject property appears to be well-kept and provides parking. Surrounding uses include some commercial, single-family residential, and recreational.

B. The special exception does not create a public nuisance.

Approval of the special exception would permit a total of two (2) Type 2 STRs operating on the block face. The surrounding area is mixed between commercial and single-family residential uses. The granting of this special exception allows one (1) additional Type 2 STR.

C. The neighboring property will not be substantially injured by such proposed use.

The applicant could provide data showing that occupancy rates for long-term rentals in the neighborhood and property valuations for the neighborhood will not be negatively impacted by the request, which could mitigate this finding.

D. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary faculties have been or are being provided.

The subject property appears to have adequate utilities, access, parking, and open space.

E. The applicant or owner for the special exception does not have any previously revoked short term rental licenses, confirmed citations, or adjudicated offenses convictions for violations of Chapter 16, Article XXII of the City Code within one year prior to the date of the application.

The applicant currently is not a permit holder for any Short Term Rental units in San Antonio, therefore does not have any history of revocation, citations, or convictions for violations of Chapter 16.

F. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.

The residential structure is existing and there is currently one (1) approved Type 2 STR Permit for the block face. The subject property is in a single family townhome complex. Changes to the essential character of the neighborhood may include potential impacts to occupancy rates and property valuations.

Alternative to Applicant's Request

Denial of the request would result in the applicant being denied to operate a Type 2 Short Term Rental, per the UDC.

Staff Recommendation

Staff recommends DENIAL of BOA-22-10300059 based on the following findings of fact:

1. There is currently one (1) active Type 2 Short Term Rental unit on the block face.