



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 5, 2024

**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-2023-10700244 CD

**SUMMARY:**

**Current Zoning:** "R-6 NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation District Overlay Airport Hazard Overlay District

**Requested Zoning:** "R-6 CD NCD-2 AHOD" Residential Single-Family Alta Vista Neighborhood Conservation District Overlay Airport Hazard Overlay District with a Conditional Use for three (3) dwelling units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 5, 2024. This case was continued from the October 17, 2023, November 7, 2023, December 5, 2023, January 16, 2024, February 6 and 20, 2024 meetings.

**Case Manager:** Kellye Sanders, Planning Coordinator

**Property Owner:** DBO Investments, LLC

**Applicant:** DBO Investments, LLC

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** 133 Hickman Street

**Legal Description:** Lot 6A, Block 2, NCB 3527

**Total Acreage:** 0.1664

**Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** Alta Vista and Five Points

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was located within the original 36 square miles of the City of San Antonio and zoned "D" Apartment District. The property was rezoned by Ordinance 86704, dated September 25, 1997, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family 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:** "R-4"

**Current Land Uses:** Single-Family Residential

**Direction:** South

**Current Base Zoning:** "C-3NA", "MF-33"

**Current Land Uses:** Abandoned Industrial Building, Multi-Family Development

**Direction:** East

**Current Base Zoning:** "R-6", "MF-33"

**Current Land Uses:** Residential Dwelling, Multi-Family Development

**Direction:** West

**Current Base Zoning:** "R-6", "RM-4"

**Current Land Uses:** Single-Family Residential

**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.

The Alta Vista Neighborhood Conservation District (NCD-2) is an overlay zoning district that contains design guidelines for rehabilitation of existing residential and commercial development. Property owners, together with the Department of Planning and Community Development staff,

develop the design guidelines. These guidelines can address building materials, height, size, massing, signage, sidewalk location, etc. A zoning review is performed by the Zoning Section of the Development Services Department.

**Special District Information:**

N/A

**Transportation**

**Thoroughfare:** East Hickman Street

**Existing Character:** Local

**Proposed Changes:** None known.

**Thoroughfare:** North Comal Street

**Existing Character:** Local

**Proposed Changes:** None known.

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

**Routes Served:** 2, 20, 202

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502. A TIA Report is Not Required.

**Parking Information:** The minimum parking requirement for Dwelling – 3 or 4 Family is 1.5 per unit. The maximum parking requirement for Dwelling – 3 or 4 Family is 2 per unit.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family District permits 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.

Proposed Zoning: “R-6 CD” Residential Single-Family District permits 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.

The Conditional Use is for three (3) dwelling units.

**FISCAL IMPACT:**

None

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

The subject property is not located within a Regional Center but is within a ½ mile of the New Braunfels Avenue and Bandera Premium Transit Corridors.

## **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 Midtown Neighborhoods Plan, adopted October 2000, and is currently designated as "Low 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 existing "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "R-6 CD" Residential Single-Family District with a Conditional Use for three (3) dwelling units is also an appropriate. The residential use is consistent with the existing mix of single-family residential and multi-family developments on the block. By keeping the "R-6" base zoning district and adding the Conditional Use for three (3) dwelling units, any future development will be subject to a site plan. If there are any increases in units or size, it would require further public and Council review and approval. The request also aligns with the goals of the Strategic Housing Implementation Plan (SHIP) for diverse housing options for all income levels and address the growing housing needs of the city.
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.
  - GCF Policy 14: Establish appropriate buffers and transitions (land use, form, and/or landscaping) between residential neighborhoods and surrounding higher-density development.
  - 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.
  - Housing Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
  - Housing Goal 6: Infill development and revitalized neighborhoods provide a range of housing choices near the city center.
  - Housing Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals, Objectives and Action Steps of the Midtown Neighborhoods Neighborhood Plan may include:

- Goal 2: Housing Preserve and revitalize the neighborhoods' unique mix of quality housing.
- Objective 2.2: Housing Character - Maintain the historic character of the neighborhood's housing while building on the increased demand for area homes to attract reinvestment by new families.
- Housing Character Action Step 2.2.3: Encourage compatible infill on vacant parcels in the planning area.

6. **Size of Tract:** The 0.1664 acre site is of sufficient size to accommodate the proposed residential 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 three (3) dwelling units.

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

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