



City of San Antonio

Agenda Memorandum

Agenda Date: March 18, 2024

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

CASE NUMBER: BOA-24-10300026

APPLICANT: Jose Villareal

OWNER: Jose Villareal

COUNCIL DISTRICT IMPACTED: District 2

LOCATION: 214 South Monumental Street

LEGAL DESCRIPTION: Lot 4, NCB 1394

ZONING: "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District

CASE MANAGER: Joseph Leos, Senior Planner

A request for

A parking adjustment to waive the one (1) required off-street parking space for a Short-Term Rental (Section 35-526)

Executive Summary

The applicant is seeking a parking adjustment to waive the one (1) required off-street parking space for a Short-Term Rental. There are currently no active Short Term Rental permits on the block. The short-term rental ordinance states that an off-street parking spot should be provided to qualify for a permit. Code Sec. 16-1108(b) states that short term rental parking shall comply with City Code Chapter 35, Unified Development Code with respect to required parking (see section 35-526).

Per the code, no required parking shall be permitted within public right-of-way or access easements as defined by city code (see section 35-526) and state regulations regarding parking.

In this case, the block face is defined as the east side of South Monumental Street between the northeast corner of Montana Street and southeast corner of Wyoming Street. There are four (4) lots along this block face. The subject property had their original permit granted on February 1, 2021, but expired on February 1, 2024. Their current renewal application cannot be approved without relief from the Board of Adjustment.

Any relief granted by the board is limited to the use of the property as a short-term rental and remains in effect in perpetuity.

Code Enforcement History

No Code Enforcement history found.

Permit History

Short Term Rental Permit Number: STR-24-13600006

Permit Request Type: Type 2

Application Approval Date: 02/01/2021

Application Renewal Submission Date: 01/22/2024

Zoning History

The subject property is legally zoned for a Short-Term Rental. Per the ordinance Short Term Rentals are prohibited only on properties zoned “C-3” General Commercial District, as well as all Industrial Districts.

Subject Property Zoning/Land Use

Existing Zoning

“RM-4”

Existing Use

Single-Family Dwelling

Surrounding Property Zoning/ Land Use

North

Existing Zoning

“RM-4”

Existing Use

Single-Family Dwelling

South

Existing Zoning

“RM-4”

Existing Use

Single-Family Dwelling

East

Existing Zoning

“RM-4”

Existing Use

Single-Family Dwelling

West**Existing Zoning**

“RM-4”

Existing Use

Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Arena District Neighborhood Community Perimeter Plan and is designated as “Medium Density Residential” in the future land use component of the plan. The subject property is located within the notification area of Denver Heights Neighborhood Association, and they have been notified of the request.

Street Classification

South Montana Street is classified as a Collector.

Alternative to Applicant’s Request

The Board of Adjustment may approve or deny the applicant’s request.

Staff Recommendation – Parking Adjustment

Staff recommends Denial in BOA-24-10300026 based on the following findings of fact:

1. Per Section 16-1100 of the City Code, staff finds that the approval of an increase in the Type 2 Short Term Rental permit density would be detrimental to “the health and safety of [the] occupant(s) of [the] short term rental property” and to the “integrity of the neighborhood(s) in which [the] short term rental property operates”.