



City of San Antonio

Agenda Memorandum

Agenda Date: January 16, 2024

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 10

SUBJECT:

ZONING CASE Z-2023-10700359

(Associated Plan Amendment Case PA-2023-11600095)

SUMMARY:

Current Zoning: "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

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

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: January 16, 2024

Case Manager: Joseph Leos, Zoning Planner

Property Owner: Ton Nguyen Bros, LLC

Applicant: Vinh Ton

Representative: Vinh Ton

Location: 12822 Uhr Lane

Legal Description: Lot 4, Block 2, NCB 14681

Total Acreage: 0.256

Notices Mailed

Owners of Property within 200 feet: 27

Registered Neighborhood Associations within 200 feet: Northern Hills Neighborhood Association

Applicable Agencies: Aviation, Planning

Property Details

Property History: . The property was annexed into the City of San Antonio by Ordinance 41430, dated December 25, 1972 and zoned "R-5" Single Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-5" Single Family Residence District converted to the current "R-5" Residential Single-Family District.

Code & Permitting Details: There is no code history for the subject property.

Topography: The property does not include any abnormal physical features such as slope or incursion into the 100-year floodplain

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "R-5"

Current Land Uses: Single-Family Dwelling

Direction: South

Current Base Zoning: "R-5"

Current Land Uses: Single-Family Dwelling

Direction: East

Current Base Zoning: "RM-4"

Current Land Uses: Duplex

Direction: West

Current Base Zoning: "R-5"

Current Land Uses: Single-Family Dwelling

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:

No special district information.

Transportation

Thoroughfare: Uhr Lane

Existing Character: Collector

Proposed Changes: None Known

Thoroughfare: Pebble Hill

Existing Character: Local

Proposed Changes: None Known

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

Routes Served: 9, 14, 502

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 multi-family development is 1.5 spaces per unit.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "R-5" Residential Single-Family District permits dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

Proposed Zoning: "RM-4" Residential Mixed District permits single-family dwellings (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.

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 Austin Highway Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval, pending the Plan Amendment.

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 San Antonio International Airport Vicinity Land Use Plan, adopted in May 2010, and is currently designated as "Low Density Residential" in the future land use component of the plan. The requested "RM-4" base zoning district is not consistent with the future land use designation. The applicant has requested a

Plan Amendment to “Medium Density Residential”. Staff and Planning Commission recommend Approval.

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. All existing residential developments in proximity are comprised of single-family properties and duplexes. The proposed use is consistent with the established development pattern of the surrounding area. Properties to the north and south of the subject site are zoned “RM-4” Residential Mixed District and additional density has previously been established in the area.
3. **Suitability as Presently Zoned:** The current “R-5” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “RM-4” Residential Mixed District is also an appropriate zoning. There are existing duplexes within the immediate area, so the proposed density is within the character of the established community. The proposed additional density is also in alignment with the Strategic Housing Implementation to support more housing for the City’s growing population
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/does not appear to conflict with any public policy objective of the San Antonio International Airport Vicinity Land Use Plan:
 - Goal I: Protect the quality of life of residents including health, safety, and welfare.
 - Objective 1.1 Protect integrity of exiting residential neighborhoods and prevent excessive noise pollution and other airport hazards.
 - Objective 1.3 Enhance quality of the environment in existing neighborhoods that are impacted by airport noise.
6. **Size of Tract:** The subject property is 0.256 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors** The applicant intends to rezone to “RM-4” to develop a residential duplex subdivision. For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single-family district within 50 feet of the property line.

The applicant is rezoning to develop four (4) residential units.

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.

