



# 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-2023-10700380

**SUMMARY:**

**Current Zoning:** "R-6 H AHOD" Residential Single-Family Lavaca Historic Airport Hazard Overlay District

**Requested Zoning:** "RM-6 H AHOD" Residential Mixed Lavaca Historic Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 5, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Balcones Muster, LLC c/o Eloy Garcia

**Applicant:** Brio Builders c/o Jim Tafoya

**Representative:** Brio Builders c/o Jim Tafoya

**Location:** 320 Riddle Street

**Legal Description:** Lot 10, Block 3, NCB 729

**Total Acreage:** 0.1650 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 35

**Registered Neighborhood Associations within 200 feet:** Lavaca Neighborhood Association  
**Applicable Agencies:** Office of Historic Preservation

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and was originally zoned “D” Apartment District. The property was then rezoned by Ordinance 74924, dated December 9, 1991, 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 “R-6” Residential Single-Family District. The subject property was rezoned by Ordinance 99337, dated June 10, 2004, to the current “R-6 H” Residential Single-Family Lavaca Historic.

**Code & Permitting Details:**

REP-MBR-APP23-35009712: Pending Strike Team

REP-ROF-PMT21-35202821: Re-Roof Permit

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:**

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

**Direction:** South

**Current Base Zoning:**

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

**Direction:** East

**Current Base Zoning:**

**Current Land Uses:** Single-Family

**Direction:** West

**Current Base Zoning:**

**Current Land Uses:** Single-Family

**Overlay District Information:**

The \_\_\_\_\_ Historic District, is an overlay district which was adopted in \_\_\_\_\_. This district does not regulate use of the property, but does enforce building exterior design standards meant to maintain the architectural character or cultural significance of the designated area. Building plans and permit applications will be subject to review by the Office of Historic Preservation and the Historic and Design Review Commission (HDRC) prior to any permits being issued. 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:**

There is no special district information.

**Transportation**

**Thoroughfare:** Riddle Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Sadie Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are VIA transit routes within a ½ mile of the subject property.

**Routes Served:** 34, 42, 242, 32, 232, 36, 51, 251

**Traffic Impact:** A TIA study may be required based on the information provided at time of platting and/or permitting. 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-2 Family is one (1) space per unit, and the maximum parking requirement is two (2) spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-6” 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: “RM-6” Single-family dwelling (detached, attached or townhouse), two-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 6,000 square feet and a minimum lot width of 15 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Downtown Regional Center and is not within a ½ mile of a Premium 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 Downtown Area Regional Center Plan, adopted in 2019, and is currently designated as "Urban Low Density Residential" in the future land use component of the plan. The requested "RM-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. Surrounding properties are "RM-4" Residential Mixed and "R-6" Residential Single-Family.
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 "RM-6" Residential Mixed District is also appropriate. The subject property is surrounded by properties zoned "RM-4" Residential Mixed District, so the proposed zoning would not be out of character for the neighborhood. Additionally, the existing structure is presently designed as a duplex and intends to stay consistent with the current design.
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 objectives of the Downtown Area Regional Center Plan: Goals  
Goal 6: Broaden the Diversity of Housing Options throughout the DowntownCore and its Neighborhoods Provide a variety of housing types, both owner- and renter-occupied, that are affordable for people at all stages of life and for a range of income levels; • Preserve existing affordable housing; • Emphasize the development of "Missing Middle" housing for both renters and owners; and • Ensure Downtown is a livable place for families, children, students, the elderly, and others.
  - Goal 1: Preserve and Enhance Downtown's Authenticity
    - o Respect historic and culturally significant places, including significant examples of more contemporary and modern architecture;
  - Goal 6: Broaden the Diversity of Housing Options throughout the Downtown Core and its Neighborhoods.
    - o Provide a variety of housing types, both owner- and renter-occupied, that are affordable for people at all stages of life and for a range of income levels;
    - o Preserve existing affordable housing;
    - o Ensure Downtown is a livable place for families, children, students, the elderly, and others.
6. **Size of Tract:** The subject property is 0.1650 acres, which can reasonably accommodate the proposed residential development.

**7. Other Factors:** The applicant is rezoning to bring the existing duplex into compliance.

This property is located in the Lavaca Historic District, and therefore designated historic. Any proposed exterior alterations and new construction associated with the proposal will require approval from the Office of Historic Preservation. Approval of a site plan or renderings submitted as part of a zoning application does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Office of Historic Preservation for this project.

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.