



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** July 19, 2022

**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-2022-10700060 CD

**SUMMARY:**

**Current Zoning:** "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District

**Requested Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for four (4) Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 19, 2022. This case is continued from the April 19, 2022, May 3, 2022 and June 7, 2022 hearings.

**Case Manager:** Mirko Maravi, Planning Coordinator

**Property Owner:** Edgar Roberto Vava Flores

**Applicant:** Diego Vava

**Representative:** Diego Vava

**Location:** 1736 West Olmos Drive

**Legal Description:** Lot 1, Block 49, NCB 8831

**Total Acreage:** 0.1377 Acres

**Notices Mailed****Owners of Property within 200 feet:** 39**Registered Neighborhood Associations within 200 feet:** Los Angeles Heights Neighborhood Association**Applicable Agencies:** None**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 1845, dated May 5, 1940 and zoned "B" Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B" Residence District converted to the current "R-4" Residential Single-Family District.

**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 Dwelling**Direction:** South**Current Base Zoning:** "R-4"**Current Land Uses:** Duplex**Direction:** East**Current Base Zoning:** "R-4"**Current Land Uses:** Duplex**Direction:** West**Current Base Zoning:** "R-4"**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:** None.**Transportation****Thoroughfare:** Olmos Drive**Existing Character:** Collector**Proposed Changes:** None Known**Thoroughfare:** Brad

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There are VIA bus routes within walking distance of the subject property.

**Routes Served:** 97, 296, 651

**Traffic Impact:** Preliminary Review Only– Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. 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

TIA Report is Not Required.

**Parking Information:** The minimum parking requirement for a 4-Family Dwelling is 1.5 per unit.

**ISSUE:** None.

**ALTERNATIVES:**

**Current Zoning:** “R-4” Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

**Proposed Zoning:** “R-4” Single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

The "CD" conditional use allows for four (4) dwelling units.

**FISCAL IMPACT:** None.

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

The subject property is not located with a Regional Center but is located within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 Near Northwest Community Plan and is currently designated as “Urban Low Density Residential” in the future land use component of the plan. The requested “R-4” base zoning district is consistent with the future land use designation.

2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “R-4” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “R-4 CD” Residential Single-Family District with a Conditional Use for four (4) dwelling units is not appropriate. The subject property is within a primarily single-family neighborhood. Although the subject property is abutting a duplex, the proposed development of four (4) units would allow for additional density that is out of character for the area.
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 proposed rezoning does appear to conflict with the following goals, principles, and objectives of the Near Northwest Community Plan:
  - Goal 3 - Housing Preserve and revitalize the community’s unique mix of quality housing.
    - Objective 3.3: Design Standards Protect and preserve the Near Northwest’s unique housing character.
    - Objective 3.4: Housing Development Encourage new housing development that is compatible with the community’s character.
6. **Size of Tract:** The 0.1377-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 “R-4 CD” Residential Single-Family District with a Conditional Use for four (4) dwelling units.