



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 2, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 3

**SUBJECT:**  
ZONING CASE Z-2022-10700335 CD

**SUMMARY:**

**Current Zoning:** "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Two-Dwelling Residential

**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:** May 2, 2023. This case was continued from the April 18, 2023 hearing.

**Case Manager:** Elizabeth Steward, Zoning Planner

**Property Owner:** Alfredo and Maria Lozano

**Applicant:** Pedro Rodriguez

**Representative:** Pedro Rodriguez

**Location:** 341 and 343 Avondale Avenue

**Legal Description:** Lot 42 and the east 20 feet of Lot 41, Block 3, NCB 7628

**Total Acreage:** 0.225

**Notices Mailed****Owners of Property within 200 feet:** 31**Registered Neighborhood Associations within 200 feet:** Hot Wells Mission Reach

Neighborhood Association

**Applicable Agencies:** N/A**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1256, dated August 2, 1944 and zoned "D" Apartment District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "D" Apartment District converted to "MF-33" Multi-Family District. The property was rezoned by Ordinance 2016-06-16-0493, dated June 16, 2016 to "R-4 CD" Residential Single-Family District with Conditional Use for two (2) dwelling units.

**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:** Residential Dwelling**Direction:** South**Current Base Zoning:** R-4 CD**Current Land Uses:** Two Residential Dwelling Units**Direction:** East**Current Base Zoning:** R-4**Current Land Uses:** Residential Dwelling**Direction:** West**Current Base Zoning:** R-4**Current Land Uses:** Residential 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:**

N/A

**Transportation**

**Thoroughfare:** Avondale Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Russi Street

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Routes served:** 36, 242, 515

**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 for four (4) dwelling units is 1.5 spaces per unit, requiring six (6) total parking spaces for the subject property.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: The "R-4" Residential Single-Family District allows 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 current "CD" Conditional Use allows two (2) dwelling units.

Proposed Zoning: The "R-4" Residential Single-Family District allows 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 would allow four (4) dwelling units.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Brooks Regional Center Plan and is located within ½ mile from the Rockport Subdivision and New Braunfels Avenue 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 Brooks Area Regional Center 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 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-4 CD” Residential Single-Family District with Conditional Use for two (2) dwelling units is an appropriate zoning for the property and surrounding area. The requested “R-4 CD” Residential Single-Family District with Conditional Use for four (4) dwelling units is also appropriate. The request allows additional density which is consistent with the Strategic Housing Implementation Plan which also encourages diverse housing options for all income levels. The request for more units is not out of character with the neighborhood. Properties to the southeast of the subject site carry the “R-4 CD” Residential Single-Family with Conditional Use for four (4) dwelling units. The subject property is also located on the corner of the block, making it a more appropriate location for additional units. The rezoning requires a prescribed Site Plan which solidifies the proposed development and layout. Any major amendments to the Site Plan will necessitate a new zoning request.
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 Brooks Area Regional Center Plan.
  - Goal 1: Belonging, Bonding & Balance- Ensure a balance of owner-occupied housing options as well as quality rental options for all members of the community.
  - Recommendation #1: Support neighborhood stability and a balance of homeownership and rental opportunities.
  - Recommendation #2: Increase the diversity of housing options within the Brooks Area Regional Center in order to support and attract residents at all stages of life and income levels.
6. **Size of Tract:** The 0.225 acre site is of sufficient size to accommodate the proposed residential development.
7. **Other Factors:** The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates a total of four (4) dwelling units in one structure.

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 a Fourplex.