



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 2, 2021

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 7

**SUBJECT:**  
ZONING CASE Z-2021-10700263 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 two (2) dwelling units

**BACKGROUND INFORMATION:**  
**Zoning Commission Hearing Date:** November 2, 2021

**Case Manager:** Rebecca Rodriguez, Planner

**Property Owner:** Omar Torres

**Applicant:** Omar Torres

**Representative:** Omar Torres

**Location:** 4219 Tillman

**Legal Description:** 0.92 acres out of NCB 8398

**Total Acreage:** 0.92

**Notices Mailed**

**Owners of Property within 200 feet:** 26

**Registered Neighborhood Associations within 200 feet:** Donaldson Terrace

**Applicable Agencies:** None

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 1450, dated October 12, 1944 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 Residence

**Direction:** South

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residence

**Direction:** East

**Current Base Zoning:** R-5

**Current Land Uses:** Single-Family Residence

**Direction:** West

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residence

**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:** Tillman

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Sutton Drive

**Existing Character:** Local

**Proposed Changes:** None

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

**Routes Served:** 524

**Traffic Impact:** ROW dedication and improvement may be required along Sutton and Tillman.

**Parking Information:** The minimum parking requirement for two (2) residential family dwellings is one (1) per unit.

## **ISSUE:**

None.

## **ALTERNATIVES:**

**Current Zoning:** “R-4” Residential 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 CD” Residential 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 two (2) units.

## **FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center but is within the 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 Near Northwest Community Plan and is currently designated as 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” 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 two (2) dwelling units is also appropriate, as the subject site is located in a corner lot measuring approximately one acre. Additionally, there are multi-family developments present in close proximity to the subject property. The multi-family developments are also located in large corner lots. Adding a conditional use to the property will restrict the placement and size of the proposed second unit and holds the applicant to the prescribed site plan.
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 public policy objectives of the Near Northwest Plan.

The proposed zoning change will meet the following principles of the Near Northwest Community Plan:

Objective 3.1: Provide well-maintained housing for a mix of incomes.

Objective 3.2: Encourage investment in housing improvement and maintenance.

Objective 3.3: Protect and preserve the Near Northwest’s unique housing character.

Objective 3.4: Encourage new housing development that is compatible with the community’s character.

6. **Size of Tract:** The 0.92-acre site is of sufficient size to accommodate the proposed residential development including the two (2) unit 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.

Although the property is allowed a duplex as a result of the “B” to “R-4” conversion, the applicant is proposing two detached units. A duplex is attached. The request results in the same density as allowed in the current zoning.

The applicant is rezoning to develop a second residence in front of the existing one. Rezoning the property will allow the property owner to continue living in the existing home while the second is being constructed. The original home will eventually be demolished, per the applicant. You may note, if the property is rezoned for two (2) units it will allow two (2) units regardless of whether the existing structure is ever demolished and will not revert back to only single unit zoning.