



# 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-2023-10700080 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:** May 2, 2023

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** Chao Smith

**Applicant:** Chao Smith

**Representative:** Chao Smith

**Location:** 601 Avondale Avenue

**Legal Description:** the north 343.96 feet of the east 62.45 feet of Lot 17, Block 1, NCB 7581

**Total Acreage:** 0.5048 Acres

**Notices Mailed****Owners of Property within 200 feet:** 19**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association**Applicable Agencies:** Texas Department of Transportation**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 1256 dated May 31, 1940 and was zoned "D" Apartment District. With the adoption of 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 the current "R-5" Residential Single-Family District.

**Topography:** A significant portion of the property is within the 100-year flood plain. The property does not include any other abnormal physical features.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "R-4" "IDZ-1"**Current Land Uses:** Vacant, Residential dwelling, Cellphone tower**Direction:** South**Current Base Zoning:** "R-4"**Current Land Uses:** Residential dwelling**Direction:** East**Current Base Zoning:** "R-4"**Current Land Uses:** Residential dwelling**Direction:** West**Current Base Zoning:** "R-4"**Current Land Uses:** Residential dwelling, Outside storage**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:** Avondale Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

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

**Routes Served:** 20

**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 a property that accommodates four dwelling units is 1.5 parking space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: 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: 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.

If approved, the “CD” Conditional Use would permit four (4) dwelling units on the property.

**FISCAL IMPACT:**

None.

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

The subject property is located within Brooks Regional Center and is within ½ mile of the New Braunfels Avenue Metro Premium Plus.

**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 CD” 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 current “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) units is also appropriate. Other properties of similar size and placement within the block face accommodate similar densities. This change of zoning request requires that the development be held to a prescribed site plan that will address different development aspects like parking and the unit layout. Any deviation from the approved site plan will require additional council consideration. Additionally, the request aligns with the goals of the Strategic Housing Implementation plan by increasing available housing stock to help with the growing population of the city.
- 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 West/Southwest Sector Plan:
  - Goal 1: Belonging, Bonding & Balance
    - o Ensure a balance of owner-occupied housing options as well as quality rental options for all members of the community.
  - 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 subject property is 0.5048 Acres, which can reasonably accommodate the proposed residential development.
- 7. Other Factors:** The applicant intends to rezone to “R-4 CD” to bring the existing fourplex into compliance and apply for building permits for utility renovation.

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.