



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-2815

---

**Agenda Item Number:** Z-1.

**Agenda Date:** 5/21/2015

**In Control:** City Council A Session

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Zoning Case Z2015139 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 Three Dwelling Units

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 21, 2015. Continued from April 7, 2015.

**Case Manager:** Ernest Brown, Planner

**Property Owner:** COGO Investments, L.L.C. (by Abelardo Juarez, Owner)

**Applicant:** Abelardo Juarez

**Representative:** Abelardo Juarez

**Location:** 421 Warren Street

**Legal Description:** Lot 7 and a Part of Lot 8, Block 12, NCB 755

**Total Acreage:** 0.2256

**Notices Mailed**

**Owners of Property within 200 feet:** 30

**Registered Neighborhood Associations within 200 feet:** Five Points Neighborhood Association

**Planning Team:** Five Points Neighborhood Plan-23

**Applicable Agencies:** None

**Property Details**

**Property History:** **Property History:** The subject property is located within the city limits as established in 1938 and was originally zoned “D” Apartment District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current “MF-33 AHOD” Multi-Family Airport Hazard Overlay District. The subject property is recognized as a plat as it was established in the Original 36 Square Miles of the City of San Antonio. The division of the subject property has changed and is not recognized as platted in its current configuration. In 2003 large area rezoning initiative the subject property was rezoned to “R-4 AHOD”. In 1940 the subject property was developed with a single family structure and detached garage totaling 1,859 square feet.

**Topography:** The property may have an abnormal physical feature such as inclusion in a floodplain. The subject property may require a FEMA Study.

**Adjacent Base Zoning and Land Uses**

**Direction:** North, East, South

**Current Base Zoning:** “R-4”

**Current Land Uses:** Single Family Residence

**Direction:** West

**Current Base Zoning:** IDZ, “I-1”, “C-2”

**Current Land Uses:** Dental Supply, Parking, Grocery Store

**Overlay and Special District Information:** All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** Warren Street

**Existing Character:** Local Type A; one lane each direction with sidewalks both sides

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus route to the subject property is route 2, 82, 88, 202, 282, and 288 that operates on North Flores Street west of subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to Residential Dwelling with maximum of 3 Dwelling Units.

Minimum Parking Requirement: Residential Mix 1.5 per unit;

Maximum Parking Requirement: Residential Mix 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend Approval.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on the approval criteria below.**

**1. Consistency:**

The property is located within the Five Points Neighborhood 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 adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no 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 neighborhood. The neighborhood is made up of a mixture of residential densities.

**3. Suitability as Presently Zoned:**

The existing “R-4” base zoning district is appropriate for the subject property. The neighborhood consists of mostly single-family residential uses, with a mixture of two-family residential uses. The requested conditional use is consistent with the existing development pattern in the neighborhood. Although the previous “D” Apartment District allowed three dwelling units, the property never had three dwelling units. Therefore, the existing use is not eligible for registration as a legal nonconforming use.

**4. Health, Safety and Welfare:**

Staff has found no 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 objective.

**6. Size of Tract:**

The subject property is 0.2256 of an acre in size, which is sufficient to accommodate the proposed conditional use for three dwelling units and all required off-street parking requirements.

**7. Other Factors:**

None.