



Zoning Staff Report

Date: February 11, 2025

Case Number: ZC-24-160

Council District: 2

Zoning Map Amendment & Site Plan

Case Manager: [Sandy Michel](#)

Owner / Applicant: Luis A. Cordoba Flores

Site Location: 3801 Decatur Avenue

Acreage: 0.28 acre

Request

Proposed Use: Four Office Spaces

Request: From: "A-5" One-Family
To: "ER" Neighborhood Commercial Restricted

Recommendation

Land Use Compatibility: Requested change **is compatible**

Comprehensive Plan Map Consistency: Requested change **is not consistent**

Comprehensive Plan Policy Consistency: Requested change **is consistent**

Staff Recommendation: **Approval**

Zoning Commission Recommendation: **Approval 9-0**

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Project Description and Background

The subject property, encompassing approximately 0.28 acres, is situated at the corner of Decatur Avenue and NE 37th Street (**Figures 1 & 3**). Currently vacant, the site is surrounded by a diverse mix of zoning districts and land uses, reflecting a blend of residential and commercial development in the area. Nearby properties are zoned as follows: “A-5” One-Family Residential, “B” Two-Family Residential, “FR” General Commercial Restricted, and “E” Neighborhood Commercial.

The applicant proposes to develop the property for office use, accommodating four tenants. According to the zoning application and the accompanying zoning exhibit site plan (**Figure 2**). It should be noted that while no preliminary site plan has been submitted for this development, such a submission is not required as part of the rezoning application process in this instance.

The applicant has provided a detailed project description to help us understand the reason for the request. The applicant has written in Spanish (down below). Here is the English translation, *“I request the zoning change from A5 to ER. For the construction of 4 offices. Provide some photos so they have an idea of how they are going to do.”*

Solicito el cambio de zona A5 a ER
Para la construccion de 4 Oficinas
Proporcione algunas Fotas para que tengan una
idea de como van hacer.



Figure 1: Site Photo

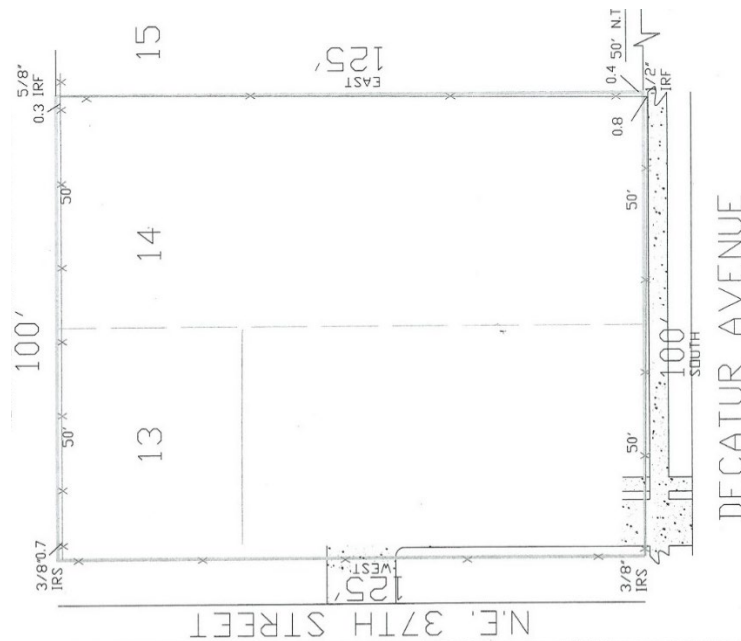


Figure 2: Platting Exhibit A

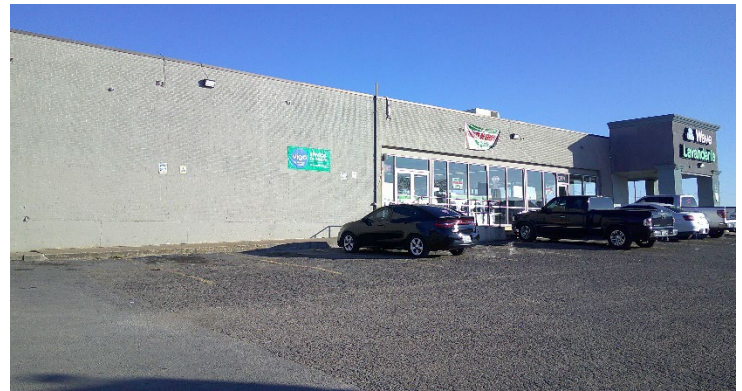
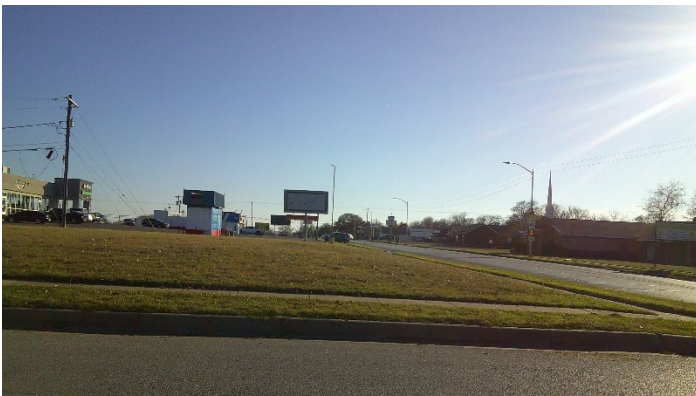


Figure 2: Surrounding Site Photos

Surrounding Zoning and Land Uses

North	"A-21" One Family / Residential
East	"A-21" One Family / Residential
South	"B" Two Family / Residential

Recent Zoning History

- N/A

Public Notification

300-foot Legal Notifications were mailed on December 27, 2024.

The following organizations were notified: (emailed December 27, 2024)

Organizations Notified	
Trinity Habitat for Humanity	Streams and Valleys Inc
Diamond Hill-Jarvis NAC	Inter-District 2 Alliance

* Located within a registered Neighborhood Organization

Development Impact Analysis

Land Use Compatibility

The surrounding area is characterized by a diverse mix of land uses, though it is primarily residential. The applicant seeks to rezone the subject parcel to facilitate the development of four office spaces. The immediate surroundings include a single-family home, a church, and a vacant lot. The map below shows, the non-residential uses in the surrounding areas.



The proposed office use may or may not fully align with the existing zoning and land use patterns in the vicinity. However, analyzing the parcel's buildable area, surrounding uses and zoning district provides valuable insight into its potential impact on surrounding uses. The parcel measures approximately 100 feet by 125 feet (12,500 square feet). Due to its location amidst one- and two-family zoning districts, setbacks and other requirements reduce the actual buildable area to approximately 5,100 square feet (60 feet by 85 feet). This limited buildable area may help mitigate the potential impact of the proposed development on adjacent residential properties.

The "ER" (Neighborhood Commercial Restricted) standards are specifically designed to mitigate the impacts of commercial development on adjacent residential properties, to promote harmony between commercial and residential uses.

These protective measures include requirements for buffers, such as landscaped setbacks, which act as physical barriers to reduce noise, visual disturbances, and other potential nuisances that could arise from commercial activity. Height restrictions are another key standard, limiting the vertical scale of developments to ensure they do not overshadow or intrude upon the privacy and character of nearby residential homes. Additionally, these *'limitations on commercial development in "ER" district.*

- a. *The sale of alcoholic beverages shall not be permitted in the "ER" district.*
- b. *All business shall be conducted wholly within an enclosed building.*
- c. *No drive-in or curb services shall be permitted unless approved through special exception.'*

These protective measures are designed to reduce noise, traffic, and visual disturbances, thereby safeguarding the quality of life for neighboring residential properties. Together, these standards aim to balance the benefits of neighborhood-oriented commercial uses with the preservation of quality of life for surrounding residential areas.

With that said the proposed rezoning aligns with the general land use patterns in the area. The project's size will be naturally constrained by the limited buildable area of approximately 5,100 square feet, ensuring that the development remains small in scale and compatible with its surroundings. Additionally, the allowed uses within the "ER" zoning district prevent incompatible uses for the adjacent residential homes. This careful approach balances the need for commercial use with the preservation of residential character in the neighborhood.

The proposed zoning is **compatible** with surrounding land uses.

Comprehensive Plan Consistency- FLU Map and Policies

The adopted Comprehensive Plan currently designates the subject property as a single-family residential on the Future Land Use Map.

RESIDENTIAL		
Rural Residential	1+ acre single-family	A-2.5, A-43
Suburban Residential	1/2+ acre single-family	A-21
Single-Family Residential	3,500+ sq. ft. lot single-family	A-10, A-7.5, A-5, AR
Manufactured Housing	Manufactured home parks and subdivisions	MH
Low Density Residential	2,500+ sq. ft. lot single-family, two-family, patio homes, townhouses, cluster housing	B, R1, R2
Medium Density Residential	Up to 36 units/acre multifamily	CR, C, D
Urban Residential	Medium to high density, residential only, pedestrian-oriented development for use between higher and lower intensity uses	UR
High Density Residential	>36 units/acre multifamily, mixed-use multifamily and pedestrian-oriented development in growth centers	UR, MU-1, MU-2, Form-Based Codes

The proposed property's designation is consistent with the Single-Family Residential category outlined in the Future Land Use (FLU) Map. The rezoning request to "ER" (Neighborhood Commercial Restricted) does not align with the FLU designation map.

Although the Future Land Use (FLU) Map designates the parcel for single-family use, the Comprehensive Plan outlines policies that encourage the creation of vibrant, mixed-use communities, integrating residential and commercial activities harmoniously. These policies aim to balance growth and development while preserving neighborhood character and optimizing land use. Key policies guiding this vision include:

- *Promote appropriate infill development of vacant lots within developed areas, which will efficiently utilize existing infrastructure, particularly in the central city.*
- *Encourage new development adjacent and connected to previously developed or platted areas in order to utilize existing utility and road infrastructure and services, thereby optimizing public and private investments and discouraging sprawl development.*
- *Encourage new development in character with the existing neighborhood scale, architecture, and platting pattern, while working to improve pedestrian, bicycle, and transit access between adjacent neighborhoods and nearby destinations.*
- *Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses.*

The surrounding area features a mix of zoning types, with residential zoning being the predominant use. The Comprehensive Plan advocates for infill development on vacant lots within established areas to make efficient use of existing infrastructure. It also highlights the need for buffers or transitional uses to separate incompatible land uses and reduce potential conflicts. The ER zoning district aligns with and supports these policies by fostering compatible development and preserving the integrity of surrounding residential areas.

Based on the statement above, the proposed zoning is **not consistent** with the FLU Map.

Based on conformance with the policies stated above, the proposed zoning is **consistent** with the Comprehensive Plan Policies.

Site Plan Comments

Zoning and Land Use

Since this rezoning application does not necessitate a site plan at this stage, the site plan approval will occur during the permitting process. Upon submission for permits, a plans examiner will conduct a thorough review of your site plan.

(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, Park & Recreation, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)

Supplemental Information
Images provided by the applicant

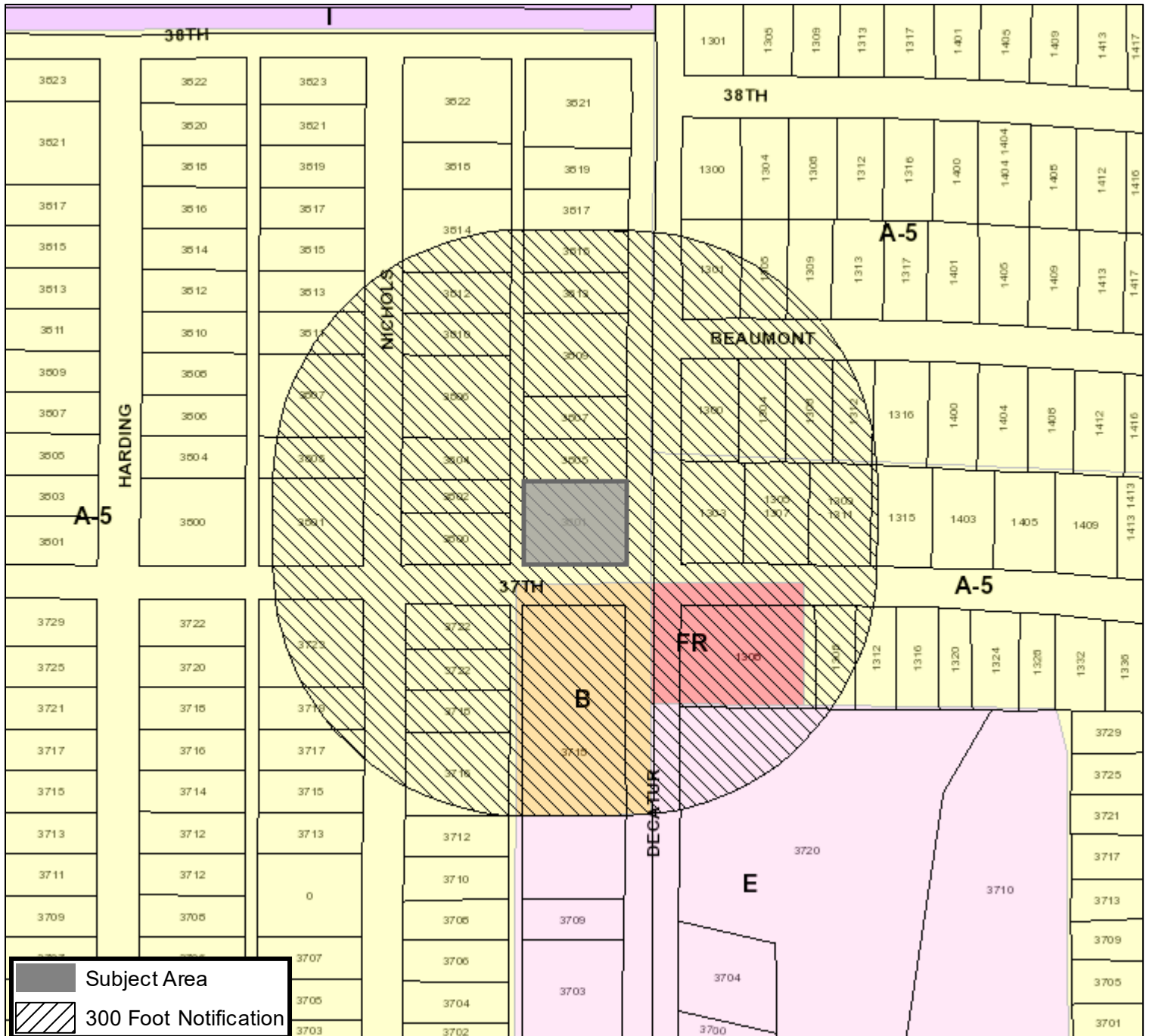




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Area Zoning Map

Applicant: Luis A. Cordoba Flores
Address: 3801 Decatur Avenue
Zoning From: A-5
Zoning To: ER
Acres: 0.28288037
Mapsc0: Text
Sector/District: Northeast
Commission Date: 1/8/2025
Contact: 817-392-2806



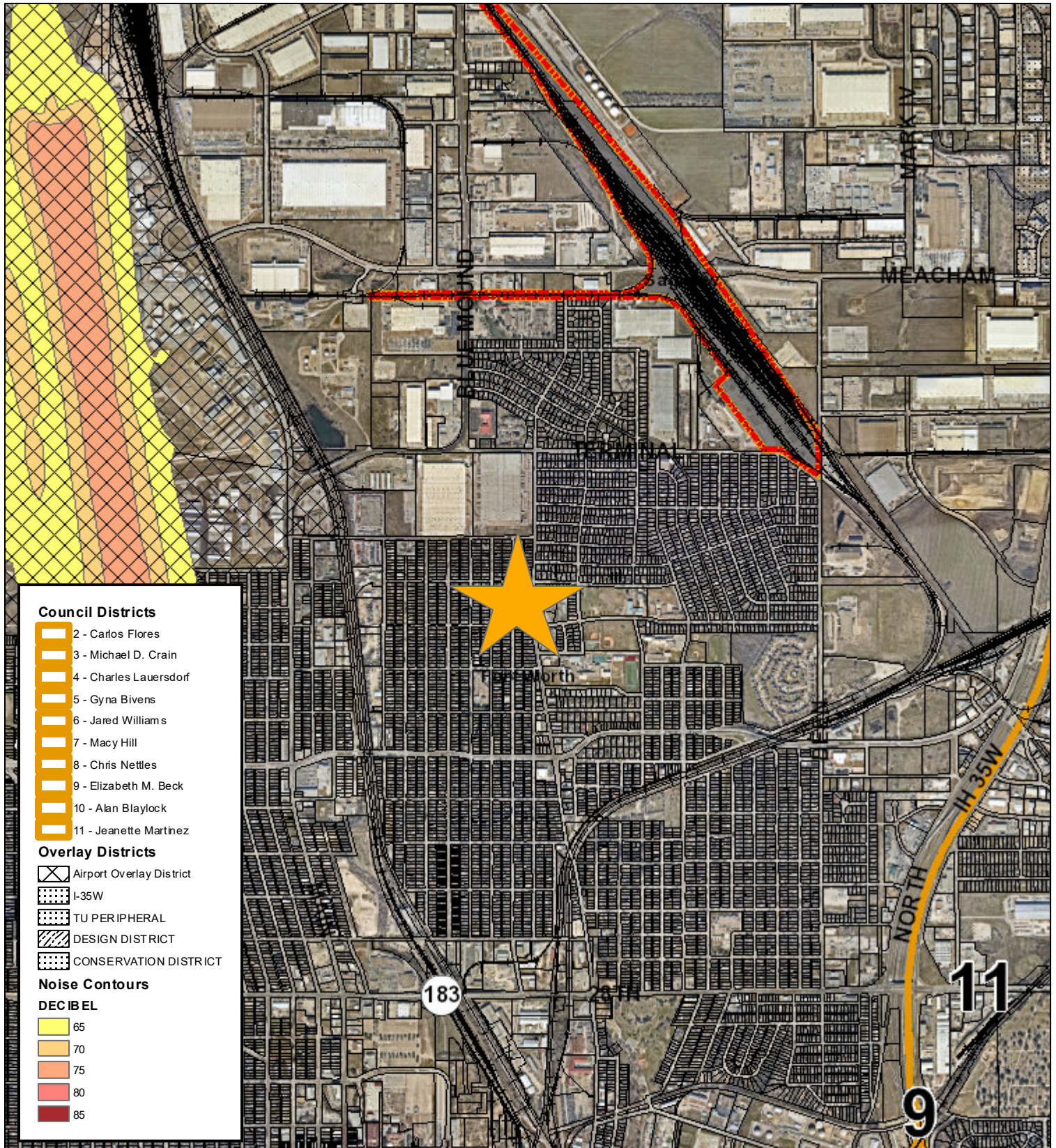
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Area Map

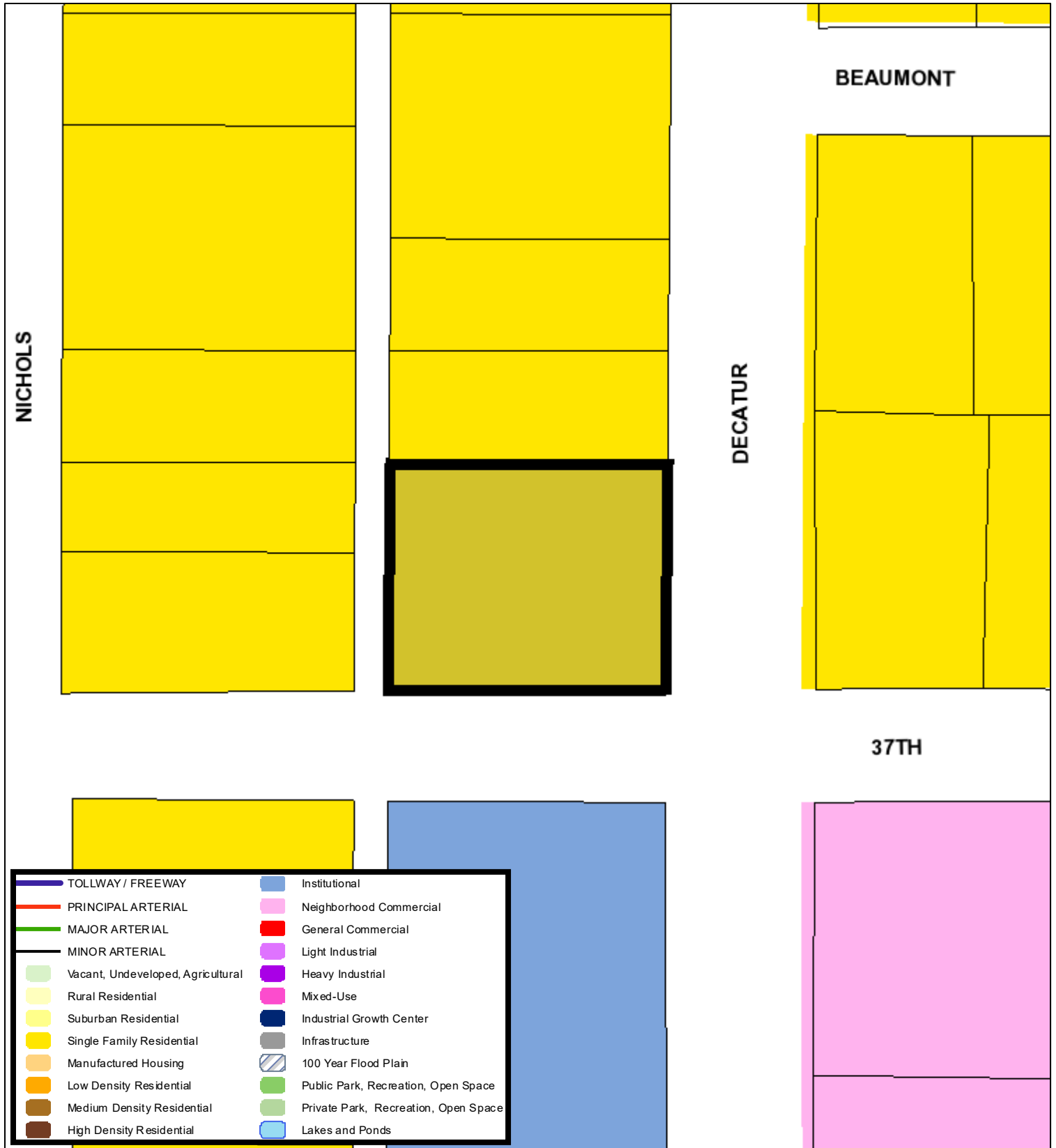


0 1,000 2,000 4,000 Feet



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Future Land Use



60 30 0 60 Feet

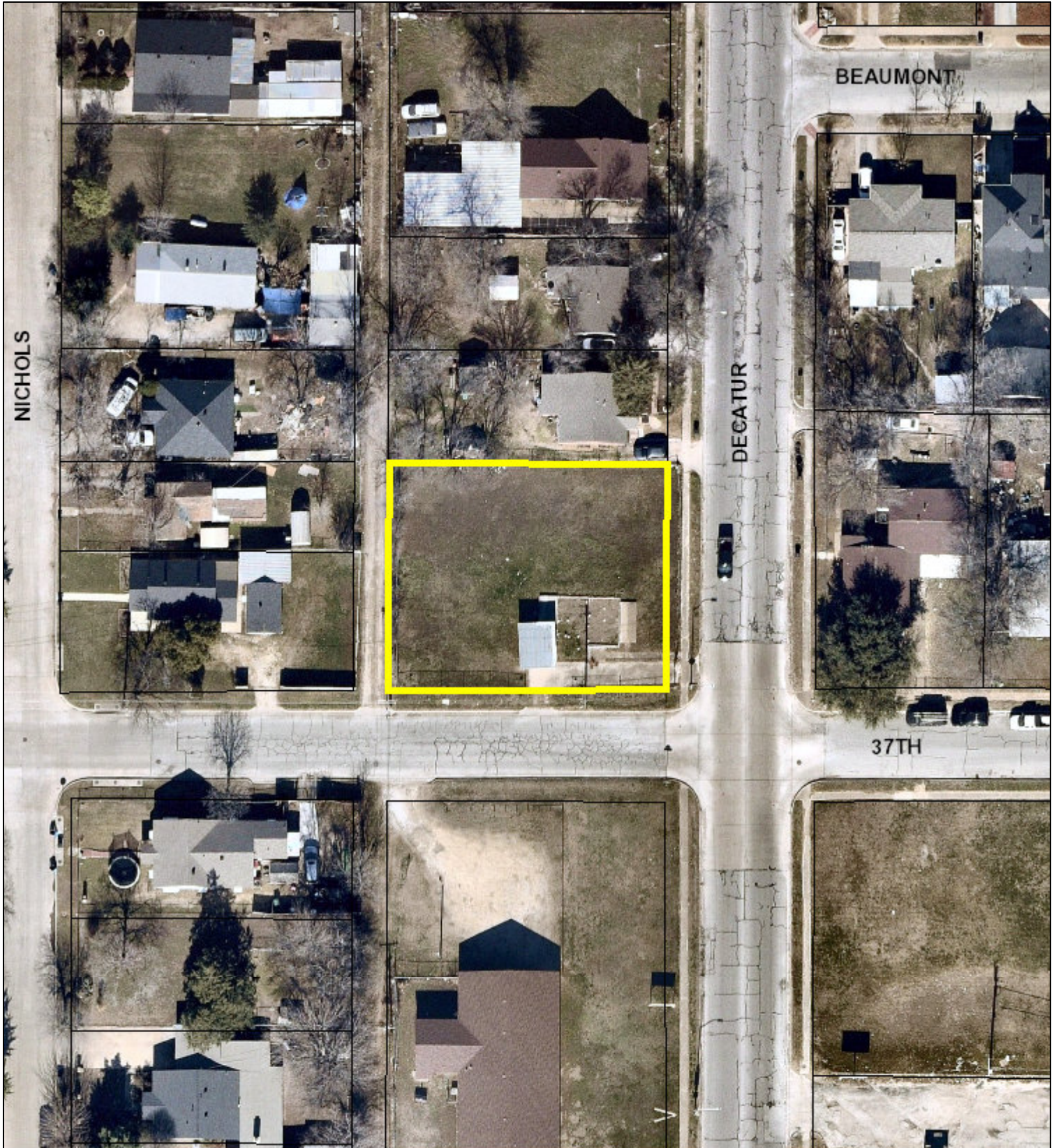
A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 6, 2018.





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Aerial Photo Map



0 37.5 75 150 Feet

