



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-1767

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 3/16/2021

**Title:** ZONING CASE Z-2021-10700018 (Council District 4): A request for a change in zoning from "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "MF-25 MLOD-2 MLR-2 AHOD" Low Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 7, Block 3, NCB 18087, located at 13107 Southwest Loop 410. Staff recommends Denial. (Justin Malone, Planner, (210) 207-0157, justin.Malone@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2021-10700018

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "MF-25 MLOD-2 MLR-2 AHOD" Low Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 16, 2021

**Case Manager:** Justin Malone, Planner

**Property Owner:** Suren & Vidya Kamath

**Applicant:** Suren Kamath

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** 13107 Southwest Loop 410

**Legal Description:** Lot 7, Block 3, NCB 18087

**Total Acreage:** 23.796

**Notices Mailed**

**Owners of Property within 200 feet:** 28

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Lackland AFB, Texas Department of Transportation

**Property Details**

**Property History:** A section of the subject property was annexed into the City of San Antonio on December 29, 1985, established by Ordinance 61626 and was originally zoned Temporary "R-1" Residential District. Under the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, this portion of the property converted from Temporary "R-1" Residential District to "R-6" Residential Single-Family District. The remaining portion of the subject property was annexed into the City of San Antonio on January 4, 2003, established by Ordinance 96558 and was originally zoned Temporary "R-1" Residential District. The property was rezoned to "C-2" Commercial District by Ordinance 2014-08-07-0557 dated August 7, 2014.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-4", "R-5"

**Current Land Uses:** Community College

**Direction:** East

**Current Base Zoning:** "C-2", "R-4"

**Current Land Uses:** Nursing Home, Single Family Residential

**Direction:** West

**Current Base Zoning:** "C-2 CD"

**Current Land Uses:** Church, Church Bookstore, Demolition Contractor, Moving Company

**Direction:** South

**Current Base Zoning:** "MF-33"

**Current Land Uses:** Vacant Land

**Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-2" does not restrict permitted uses but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

"AHOD"

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:** Southwest Loop 410

**Existing Character:** Highway

**Proposed Changes:** None

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**Routes Served:** None

**Traffic Impact:** A Traffic Impact Analysis will be required at the time of platting or building permit.

**Parking Information:** The parking minimum for a multifamily development is 1.5 spaces per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The current "C-2" Commercial District permits community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses include liquor stores, auto and light truck oil, lube, and tune-up, auto glass tinting, tire repair (sales and installation only), gas station, appliance sales and repair, and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed:** The proposed "MF-25" Low Density Multi-Family District is the designation for multi-family use with a maximum density of up to twenty-five (25) units per acre, depending on unit size. An "MF-25" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

### **FISCAL IMPACT:**

None.

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

The property is not part of a Regional Center and is not within premium transit corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

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

#### **1. Consistency:**

The subject property is located within the Heritage South Sector Plan and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "MF-25" base zoning is consistent with the future land use designation.

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

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The location along Loop 410 is conducive to regional commercial and industrial development.

## **3. Suitability as Presently Zoned:**

The current “C-2” zoning is appropriate for the property and surrounding area. Additional density in an area that is developing with large industrial activities could have a negative impact on traffic.

## **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 subject site is located within the boundaries of the Heritage South Sector Plan. The Heritage South Sector Plan designates the subject site as General Urban Tier, which contains residential, commercial and office uses. General Urban Tier developments are typically located at the intersections of arterials and/or collectors.

## **Relevant Goals and Policies of the Comprehensive Plan may include:**

- Goal LU 5:
  - LU-5.1 Integrate regional town centers that include commercial, retail, office and institutional uses into the fabric of the community
  - LU-5.2 Cluster high intensity commercial in regional centers to reduce “strip development”
  - LU-5.3 Preserve as much as 25% of the developable land to maintain the area’s rural character and retain agricultural practices

## **6. Size of Tract:**

The subject property is 23.796 acres, which could reasonably accommodate multifamily residential uses.

## **7. Other Factors:**

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to the request.

The applicant is seeking a zoning change to allow for the construction of a multi-family development that shall not exceed 25 units per acre. At 23.796 acres there could potentially be development of 595 units.