



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-1121

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 1/19/2021

**Title:** ZONING CASE Z-2020-10700272 (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 and "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 14.42 acres out of CB 4300, generally located in the 13000 block of Somerset Road. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA2020-11600075) (Mercedes Rivas, Senior Planner, (210) 207-0215, Mercedes.Rivas2@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-2020-10700272  
(Associated Plan Amendment PA-2020-11600075)

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 19, 2021

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Charles A. Timms

**Applicant:** Charles A. Timms

**Representative:** Brown & Ortiz, P.C.

**Location:** Generally located in the 13000 block of Somerset Road

**Legal Description:** 14.42 acres out of CB 4300

**Total Acreage:** 14.42

**Notices Mailed**

**Owners of Property within 200 feet:** 22

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

**Applicable Agencies:** Lackland Air Force Base and Texas Department of Transportation

**Property Details**

**Property History:** A portion of the subject property, 10.00 acres out of CB 4300, was annexed into the City of San Antonio on August 8, 2019, established by Ordinance 2019-08-08-0617 and was zoned "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

The remaining portion of the subject property Lot P-10D, CB 4300, was annexed into the City of San Antonio on August 7, 2014, established by Ordinance 2014-08-07-0557 and was zoned "C-2" Commercial District.

**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:** "C-2"

**Current Land Uses:** Cropland, ranch estates

**Direction:** East

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

**Current Land Uses:** Cropland

**Direction:** West

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

**Current Land Uses:** Cropland

**Direction:** South

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

**Current Land Uses:** Cropland

**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:** Somerset Road

**Existing Character:** Enhanced Secondary Arterial

**Proposed Changes:** None known

**Public Transit:** There are no VIA bus routes near the subject property.

**Route Served:** None

**Traffic Impact:** A Traffic Impact Analysis is not required; the proposed use does not exceed the minimum threshold.

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

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The current zoning district designation of "C-2" Commercial district accommodates community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed:** The proposed zoning district designation of "MF-33" Multifamily Dwelling accommodates multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 33 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 “Suburban Tier” in the future land use component of the plan. The requested “MF-33” base zoning district is not consistent with the future land use designation. The applicant is seeking a Plan Amendment to “General Urban Tier.” Staff and the Planning Commission recommend Approval.

**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 changes would reduce potential impacts from the existing “C-2” Commercial District.

**3. Suitability as Presently Zoned:**

The current “C-2” zoning district is appropriate for the property and surrounding area. The proposed “MF-33” is also an appropriate zoning for the surrounding area especially as a transition and buffer to the single-family residential uses to the west along Somerset Road. The proposed request will provide the surrounding community with alternate housing options.

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Heritage South Sector Plan:

Goal HOU-1: An array of housing choices throughout the area with an appropriate mix of densities and housing types

Goal HOU-1.1: Encourage a mix of housing types, including multi-family homes, custom homes, garden homes, and single-family detached homes to provide “life cycle” housing options (ranging from college students, young adults, families, and retired/ senior) within the area

Goal HOU-2.2: Promote sustainable quality housing and development through green building; site design; landscape techniques, and energy resources such as CPS Windtricity and Solartricity

**6. Size of Tract:**

The subject property is 14.42 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 there are no objections to the request.

With the existing acreage of 14.42 acres, the proposed “MF-33” would allow a density of up to 476 units.