



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4049

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/6/2020

**Title:** ZONING CASE Z-2020-10700104 (Council District 4): Ordinance amending the Zoning District Boundary from "NP-10 MLOD-2 MLR-1 AHOD" Neighborhood Preservation Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 172.85 acres out of NCB 15248, generally located in the 7100 block of Old Pearsall Road. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Field Notes, 5. Ordinance 2020-08-06-0495

Date	Ver.	Action By	Action	Result
8/6/2020	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:** Zoning Case Z2020-10700104

**SUMMARY:**

**Current Zoning:** "NP-10 MLOD-2 MLR-1 AHOD" Neighborhood Preservation Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 16, 2020

**Case Manager:** Lorianne Thennes, Planner

**Property Owner:** Estate of Charles Edward Neumann

**Applicant:** Lennar

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

**Location:** Generally located at the 7100 Block of Old Pearsall Road

**Legal Description:** 172.85 acres out of NCB 15248

**Total Acreage:** 172.85 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 43

**Registered Neighborhood Associations within 200 feet:** People Active in Community Effort

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the city by Ordinance 83135, dated December 31, 1995 and was originally zoned "R-A." The previous "R-A" district converted to "NP-10" Neighborhood Preservation District in the zoning district conversion that accompanied the adoption of the 2001 UDC, according to Ordinance 93881 in May 2001.

**Topography:** The western half of the property is in the flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "I-1" and "NP-10"

**Current Land Uses:** Residential estates, vacant

**Direction:** East

**Current Base Zoning:** "NP-10" and "R-5"

**Current Land Uses:** Single-family dwellings, residential estate, church

**Direction:** South

**Current Base Zoning:** "L," "OCL," "C-3," and "NP-10"

**Current Land Uses:** Industrial business, ranchland, vacant

**Direction:** West

**Current Base Zoning:** "NP-10" and "I-1"

**Current Land Uses:** Vacant, auto fleet service, commercial uses, city maintenance facility

**Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. 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:** Old Pearsall Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None

**Public Transit:** There are no VIA bus routes within walking distance of the subject property.

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

**Parking Information:** The minimum parking requirement for a single-family dwelling unit is 1 space per unit.

**ISSUE:** None.

**ALTERNATIVES:**

**Current:** The current "NP-10" Neighborhood Preservation District is designed to protect properties zoned "R-A," "R-1a," "R-1b," or "R-1c" prior to June 4, 2001 and existing platted subdivisions which are substantially developed with single-family detached dwelling units. It is the policy of the city that these districts will be applied only to properties zoned "R-A," "R-1a," "R-1b," or "R-1c" prior to June 4, 2001 or platted subdivisions which are recorded as of the effective date of this chapter, in order to prevent such subdivisions from being further subdivided in a manner in order to avoid congestion in the streets, prevent safety hazards, protect the health and general welfare of subdivision residents, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, and facilitate the adequate provision of public facilities. The "NP" districts are not appropriate for the down zoning of unsubdivided parcels or tracts.

**Proposed:** The proposed "R-4" Single-Family Residential District provides areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential single-family provides minimum lot size and density requirements in order to preserve neighborhood character.

**FISCAL IMPACT:** None.

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

The property is within a regional center but is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval.

**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 United Southwest Communities Plan and is currently designated as "Low Density Residential. The requested "R-4" Residential Single-Family is consistent with the 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.

**3. Suitability as Presently Zoned:**

The current "NP-10" Neighborhood Preservation District is an appropriate zoning for the property and surrounding area.

**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 United Southwest Communities Plan:

Goal 2: Encourage the development of new housing that is compatible with the community.

Objective 2.1: Encourage single family development.

Objective 2.1.3: Encourage new residential construction to include two-car garages...

**6. Size of Tract:**

The subject property is 172.85 acres, which could reasonably accommodate a single-family home development.

**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, JB SA was notified of the proposed request.