



# City of San Antonio

## Agenda Memorandum

**File Number:**19-3358

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**Agenda Item Number:** 5.

**Agenda Date:** 4/16/2019

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2019-10700032

**SUMMARY:**

**Current Zoning:** "NP-8 MLOD-2 MLR-2 AHOD" Neighborhood Preservation Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 16, 2019

**Case Manager:** Sara Serra, Planner

**Property Owner:** Denise Maria Knight

**Applicant:** Bjorn Baggs, PE - LJA Engineering, Inc.

**Representative:** Bjorn Baggs, PE - LJA Engineering, Inc.

**Location:** Generally located southwest of the intersection of Somerset Road and Fischer Road

**Legal Description:** 106.01 acres out of CB 4300

**Total Acreage:** 106.01

**Notices Mailed**

**Owners of Property within 200 feet:** 24

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

**Applicable Agencies:** Texas Department of Transportation and Lackland Airforce Base

### **Property Details**

**Property History:** The property was annexed into San Antonio Limits by Ordinance 96557, dated January 5, 2003. The property was rezoned from "FR" Farm and Ranch District to "NP-8" Neighborhood Preservation District by Ordinance 2014-08-07-0557, dated August 7, 2014.

**Topography:** A portion of the property is within the 100-year flood plain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "OCL", "C-2", and "MF-33"

**Current Land Uses:** Restaurant, Vacant, Trucking Company, and Ice House

**Direction:** East

**Current Base Zoning:** "OCL", "C-2", and "NP-8"

**Current Land Uses:** Residential Dwellings, Motor Vehicle Sales, Tire Shop

**Direction:** South

**Current Base Zoning:** "RE" and "RP"

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** "OCL", "NP-8", and "C-2"

**Current Land Uses:** Residential Dwellings and RV Park

### **Overlay and Special District Information:**

"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.

"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.

### **Transportation**

**Thoroughfare:** Fischer Road

**Existing Character:** Enhanced Secondary Arterial

**Proposed Changes:** None Known

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

Routes Served: NA

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. The traffic generated by the proposed development does exceed the threshold requirements.

### **Parking Information:**

The minimum parking requirement for a single-family home is 1 space.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of "NP-8". The neighborhood preservation districts are 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.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or half a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 Heritage South Sector Plan and is currently designated as "Suburban Tier" in the future land use component of the plan. The requested "R-5" base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current "NP-8" Neighborhood Preservation Districts is an appropriate zoning for the property and surrounding area.

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

- An array of housing choices throughout the area with an appropriate mix of densities and housing types.
- 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.

- Encourage higher-density housing at strategic nodes.

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

The subject property is 106.01 acres, which could reasonably accommodate a single-family 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, JBSA was notified of the proposed request.

The maximum density for “R-5” is 9 units per acre, while “NP-8” is 5 units per acre.

The owner is working on a voluntary annexation for other properties surrounding the subject property. The owner hopes to rezone the surrounding properties within the coming months once they are annexed into the city. The desired zoning is “R-5”.