



# City of San Antonio

## Agenda Memorandum

**File Number:**20-2638

---

**Agenda Item Number:** Z-9.

**Agenda Date:** 4/2/2020

**In Control:** City Council A Session

---

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 6

**SUBJECT:**

Zoning Case Z-2020-10700025

(Associated Plan Amendment PA-2020-11600006)

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 3, 2020

**Case Manager:** Patricia Franco, Planner

**Property Owner:** H-E-B, LP

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

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

**Location:** 1300-1400 Block of Horal Drive

**Legal Description:** 14.71 acres out of NCB 17172

**Total Acreage:** 14.71

**Notices Mailed**

**Owners of Property within 200 feet:** 15

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

**Applicable Agencies:** Lackland Airforce Base

### **Property Details**

**Property History:** The subject property was annexed by Ordinance 57131 on September 1, 1983 and originally zoned "B-3" Business District. The subject property was rezoned to "B-2 NA" Business Non-Alcoholic District by Ordinance 90450 on September 9, 1999. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-2 NA" Single Family Residence District converted to the current "C-2 NA" Commercial Non-alcoholic District. Subsequently, the "NA" was removed by Ordinance 2006-08-17-0946, dated August 17, 2006.

**Topography:** The subject property is not located within the 100-year flood plain.

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

**Direction:** North

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

**Current Land Uses:** IDEA School

**Direction:** East

**Current Base Zoning:** "C-3"

**Current Land Uses:** Conn's Home Plus, H-E-B Grocery and Twin Liquors

**Direction:** South

**Current Base Zoning:** "C-3"

**Current Land Uses:** Vacant / Undeveloped land

**Direction:** West

**Current Base Zoning:** "C-3" and "C-2 NA CD S"

**Current Land Uses:** Storage units, fire station

### **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:** Horal Drive

**Existing Character:** Local

**Proposed Changes:** None

**Public Transit:** VIA bus routes are within walking distance of the subject property.

Routes Served: 612, 613, 615 and 618

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

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

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-2”. These districts accommodate community commercial uses, with unlimited building size. 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, dry cleaning, and pawn shop. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed:** The proposed zoning district designation of “RM-4” Residential Mixed District provides areas for medium to high-density residential uses where adequate public facilities and services exist with capacity to serve development. This district is composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring flexible yard and area standards. Mixed residential districts provide flexible density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

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

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend 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 West/Southwest Sector Plan and is currently designated as “Regional Center” in the future land use component of the plan. The requested “RM-4” base zoning district is not consistent with the future land use designation and requires a plan amendment to “General Urban Tier”. Staff and Planning Commission recommend Approval.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern and offers a housing alternative in the area.

**3. Suitability as Presently Zoned:**

The existing “C-2” Commercial base zoning is an appropriate zoning district for the surrounding area. The proposed “RM-4” Residential Mixed is also appropriate for the area is consist and compatible with the zoning to the northwest of the site which is also “RM-4”.

#### **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 West/Southwest Sector Plan:

##### **Plan Goals:**

Housing Goals and Strategies

Goal HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan

HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood

Goal HOU-2 New housing developments locate near existing community facilities, schools, and physical infrastructure (e.g., streets, water, sewer, etc.) with sufficient capacity to serve new developments

HOU-2.4 Promote awareness of the benefits of locating new housing near existing community facilities and physical infrastructure

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

The subject property is approximately 14.71 acres, which would adequately support the requested residential use.

#### **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 is no objection to the request.

The applicant is seeking to develop a currently vacant lot as a residential subdivision.