



# City of San Antonio

## Agenda Memorandum

**File Number:**21-4323

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

**Agenda Date:** 6/17/2021

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z-2021-10700097

**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:** June 1, 2021

**Case Manager:** Azadeh Sagheb, Senior Planner

**Property Owner:** L410/H16 LP

**Applicant:** Pathway MF LLC

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

**Location:** Generally located in 10100 Block of State Highway 16 South

**Legal Description:** 14.03 acres out of NCB 18087

**Total Acreage:** 14.03

**Notices Mailed**

**Owners of Property within 200 feet:** 11

**Registered Neighborhood Associations:** None

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

### **Property Details**

**Property History:** The subject properties were annexed into the city of San Antonio by Ordinance 61626, dated December 29, 1985 and were zoned TEMP “R-1” Temporary Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the properties zoned TEMP “R-1” Temporary Single-Family Residence District converted to the “R-5” Residential Single-Family District. The subject properties rezoned to “UD” Urban Development District by Ordinance 98500, dated December 4, 2003. The properties were rezoned to the current “C-2” Commercial District by Ordinance 20212-03-15-0203, dated March 15, 2012.

**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:** UZROW, “R-4”, “R-5”

**Current Land Uses:** Highway, Community College

**Direction:** East

**Current Base Zoning:** “C-2”

**Current Land Uses:** Vacant Land

**Direction:** South

**Current Base Zoning:** “C-2”

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** UZROW, “C-2”, “MF-33”

**Current Land Uses:** Collector Road, Vacant Lot, Gas Station, Convenience Store, Apartments

### **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

**Thoroughfare:** State Highway 16 South

**Existing Character:** Expressway

**Proposed Changes:** None

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

**Routes Served:** 524, and 672.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The project must comply with approved TIA20180210 - Palo Alto Mix Use. HWY 16 and Loop 410 are TxDOT roadways, TxDOT review and approval will be required. ROW dedication and improvement may be required.

**Parking Information:** The minimum parking requirement for a “multifamily” 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 within a Regional Center nor is it within a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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 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 does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The surrounding properties are zoned “C-2” Commercial District.

**3. Suitability as Presently Zoned:**

The existing “C-2” Commercial zoning is appropriate for the surrounding area. The proposed “MF-25” Low Density Multi-Family is also appropriate for the area, provides a housing option and is fitting along Loop 410

and Highway 16.

#### **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 property is located within the boundaries of the “Heritage South Sector Plan” with a land use designation of “General Urban Tier”. General Urban Tier developments are typically located at the intersection of arterials and/or collectors. The proposed rezoning appears to be consistent with the following goal, and objectives of the Heritage South Sector Plan:

##### **Goal: Housing Goals and Strategies**

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

Strategies:

HU-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.

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

The subject property is 14.03 acres, which could reasonably accommodate the requested 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 proposed zoning change is requested to allow for the construction of multifamily on the vacant lots that shall not exceed 25 units per acre. At an acreage of 14.03 acres a total of up to 351 dwelling units could be developed.