



City of San Antonio

Agenda Memorandum

Agenda Date: December 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:
ZONING CASE Z-2023-10700277

SUMMARY:

Current Zoning: “C-2 MLOD-2 MLR-1 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

Requested Zoning: “MF-33 MLOD-2 MLR-1 AHOD” Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 7, 2023

Case Manager: Ashley Leal, Senior Planner

Property Owner: VPH Properties, Ltd

Applicant: Lincoln Capital Acquisition LLC

Representative: Killen, Griffin & Farrimond, PLLC

Location: Generally located in the 5000 block of Pearsall Road

Legal Description: 7.711 acres out of NCB 15269

Total Acreage: 7.711 Acres

Notifications

Notices Mailed: 13

Registered Neighborhood and Community Associations: People Active in Community Effort, and Southwest Community Association

Applicable Agencies: Lackland Air Force Base, Texas Department of Transportation

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 41419, dated December 26, 1972, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 44107, dated July 25, 1974, to "B-3" Business District. The property was rezoned by Ordinance 93213, dated January 11, 2001, with a majority being rezoned to "B-2" Business District and the remainder to "R-1A" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2" Business District converted to "C-2" Commercial District and the area zoned "R-1A" Single-Family Residence District converted to "NP-8" Neighborhood Preservation District. The property was rezoned by Ordinance 96339, dated September 12, 2002, to "R-6" Residential Single-Family. Most of the subject property was rezoned by Ordinance 2017-04-20-0281, dated April 20, 2017, from "R-6" Residential Single-Family District to the current "C-2" Commercial District.

Code & Permitting Details: There is no code enforcement or permitting history for the subject property.

Topography: The property does not include any abnormal physical features such as slope or incursion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "R-6"

Current Land Uses: Single-Family Residential Neighborhood

Direction: East

Current Base Zoning: "MF-33"

Current Land Uses: Vacant

Direction: West

Current Base Zoning: "C-2", "C-3R"

Current Land Uses: Medical Clinic, IDEA Public School

Direction: South

Current Base Zoning: "R-6", "C-3"

Current Land Uses: Vacant, Training Facility and Gas Lab

Overlay District Information:

The "MLOD-2" Lackland Military Lighting Overlay District 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.

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

Special District Information:

N/A

Transportation

Thoroughfare: Old Pearsall Road

Existing Character: Secondary Arterial A

Proposed Changes: None known

Thoroughfare: Ray Ellison Blvd

Existing Character: Secondary Arterial A

Proposed Changes: None known

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 614

Traffic Impact: The traffic generated by the proposed development has increase it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502.

A TIA Report will be Required.

Parking Information: The minimum parking requirement for Multi-Family Dwelling is 1.5 per unit and maximum parking requirement is 2 per unit.

Proximity To Regional Center/Premium Transit Corridor:

Subject property is located with the Port San Antonio Regional Center and within ½ a mile from the Southwest Premium Transit Corridor.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "C-2" Commercial Districts accommodate 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 Zoning: “MF-33” Multifamily District allows multi-family development up to 33 units per acre, any uses permitted in MF-25 but with a maximum density of 33 units per acre for MF-33, 40 units per acre for MF-40, 50 units per acre for MF-50 and 65 units per acre for MF-65.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission 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 Port San Antonio Area Regional Center Plan, adopted December 2021, and is currently designated as Urban Mixed Use in the future land use component of the plan. The requested “MF-33” multi-family base zoning district 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 proposed use is consistent with the established development pattern of the surrounding area.
- 3. Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The proposed “MF-33” Multi-Family District is also appropriate. The requested “MF-33” Multi-Family base zoning district is more appropriate for the size of the property and is in proximity to schools, employment, and transportation options. Additionally, the request for the multi-family residential development provides an additional housing type for the area that aligns with the goals and objectives of the Strategic Housing Implementation Plan.
- 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 request does not appear to conflict with any public policy objective of the Port San Antonio Area Regional Center Plan.

Relevant Goals and Policies of the Comprehensive Plan may include:

- Housing Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
- Housing Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
- Housing Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.

6. Size of Tract: The 7.711 acre site is of sufficient size to accommodate the proposed residential 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. The Military has indicated that there are no objections to this request.

The property is proposed for development of multifamily uses that shall not exceed 33 units per acre. At 7.711 acres, there could potentially be development of 254 units. The applicant intends to construct a 226 unit multi-family development.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.