



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 7, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2024-10700030

**SUMMARY:**

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

**Requested Zoning:** "TOD MLOD-2 MLR-1 AHOD" Transit-Oriented Development Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 7, 2024

**Case Manager:** Kellye Sanders, Planning Coordinator

**Property Owner:** United Oaks, LLC & Samuel and Maricela Maya Panchevre Family LP

**Applicant:** United Oaks, LLC & Samuel and Maricela Maya Panchevre Family LP

**Representative:** Patrick Christensen

**Location:** Generally located in the 5100 block of Old Pearsall Road

**Legal Description:** Lots 2, 6, P-94, P-95, NCB 15324

**Total Acreage:** 70.10 acres

### **Notices Mailed**

**Owners of Property within 200 feet:** 62

**Registered Neighborhood Associations within 200 feet:** Southwest Community Neighborhood Association, People Active in Community Effort Neighborhood Association, Valley Forrest Neighborhood Association

**Applicable Agencies:** Parks and Recreation Department, TxDOT, Lackland AFB

### **Property Details**

**Property History:** The subject property was annexed into the City Antonio by Ordinance 41419, dated December 26, 1972, and originally zoned Temporary "R-1" Single-Family Residence District. A portion of the property was rezoned by Ordinance 48624, dated October 20, 1977, to "I-1" Light Industry District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the portion of the property zoned Temporary "R-1" Single-Family Residence District converted to "R-6" Residential Single-Family District, and the portion of the property zoned "I-1" Light Industry District converted to the current "I-1" General Industrial District. The "R-6" Residential Single-Family District portion of the property was rezoned by Ordinance 2008-12-11-1179, dated December 11, 2008, to the current "C-2" Commercial District.

### **Code & Permitting Details:**

There are no code or permitting details for the subject property.

**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:** "R-6", "C-1", "C-2", "C-3", "MF-25", "C-3R", "I-1", "MF-33"

**Current Land Uses:** Vacant, Learning center, Apartments, Food service establishment, Auto Body Shop, Gas station

**Direction:** South

**Current Base Zoning:** "I-1", "R-6", "RM-4", "C-3", "MH"

**Current Land Uses:** Church, tire shop, energy storage facility

**Direction:** East

**Current Base Zoning:** "NP-10", "R-6", "I-1"

**Current Land Uses:** Park, Council field office

**Direction:** West

**Current Base Zoning:** "R-6", "NP-8"

**Current Land Uses:** Residential dwelling

### **Overlay District Information:**

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.

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.

**Special District Information:**

The Transit Oriented Development District is a special district that encourages a mix of residential and commercial uses and employment opportunities with identified light-rail stations or other high-capacity transit areas. A site plan is required for a rezoning to "TOD" that will include the location of the uses. A zoning review is performed by the Zoning Section of the Development Services Department during the review of the building permit.

**Transportation**

**Thoroughfare:** Old Pearsall Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

**Thoroughfare:** Medina Base

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

**Thoroughfare:** Holm Road

**Existing Character:** Local Street

**Proposed Changes:** None Known

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

**Routes Served:** 614, 619

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The minimum parking requirement for most retail and service-oriented uses is 1 parking space per 300 sq/ft of gross floor area. The minimum parking requirement for multi-family uses is 1.5 spaces per unit. The minimum parking requirement for a single-family dwelling is 1 parking space per unit.

The minimum parking requirements within the "TOD-C" and "TOD-P" districts are as follows:

- TOD-C, within 500 feet of a Transit Center, Station, Stop, or Major Transit Loading/Boarding Location: None
- TOD-C, balance of area: Fifty (50) percent of the parking spaces required by the parking standards of this chapter.
- TOD-P: Seventy-five (75) percent of the parking spaces required by the parking standards of this chapter.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "I-1" General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

"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: "TOD" Transit Oriented Development District encourages a mix of residential and commercial uses and employment opportunities with identified light-rail stations or other high-capacity transit areas.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Port San Antonio Regional Center and within a ½ mile of the Looper 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 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 "TOD" 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. The property is situated at the intersection of two secondary arterials, and just off of a primary arterial. Surrounding zoning designations support commercial, residential, and industrial land use.

- 3. Suitability as Presently Zoned:** The current “I-1” General Industrial District and “C-2” Commercial District are appropriate zonings for the property and surrounding area. The proposed “TOD” Transit Oriented Development District is also appropriate. The subject property is located south of Lackland Air Force Base, and just east of a dense single-family neighborhood. The “TOD” base zoning district permits commercial, office, and residential uses, and is intended for areas located in proximity to transit facilities and in high-capacity transit areas. This district grants flexibility to setback and parking standards, while also allowing for additional residential density and uses conducive to relatively high levels of transit. The request aligns with the land use designation “Urban Mixed Use”, accommodating a mix of residential, commercial, and institutional uses, at a scale appropriate with the existing surroundings, and emphasizes the importance of ensuring access between the local workforce, housing, and service options.
- 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 objectives of the Port San Antonio Area Regional Center Plan:

  - Goal 3: Increase healthy and sustainable transportation options in areas with anticipated increases in intensity of public and private use.
    - Capitalize on the anticipated growth in employment at Port San Antonio and identify both new and enhanced transit routes that will help connect people to jobs while alleviating automobile congestion.
    - Provide clear physical and visual pedestrian and bicycle connections from transit facilities to employment centers, retail, and entertainment attractions that will encourage people to use alternatives to the automobile.
    - Identify suitable locations for a multi-modal “grand transit” center that will connect the Regional Center to other Regional Centers in the City.
  - Goal 4: Increase housing options while preserving or increasing home ownership rates.
    - Introduce a variety of housing options in the area, particularly those currently under-represented or missing from the area that may appeal to current or future residents, including those employed within the Regional Center area.
    - Direct higher density housing options to targeted focus areas and along major corridors, and encourage appropriate transitions of density and intensity to existing lower density neighborhoods.
    - Identify locations for future housing options and mixed-use/retail development uses so that they are close in proximity to encourage a vibrant and active area.
- 6. Size of Tract:** The 70.10 acre site is of sufficient size to accommodate the proposed mixed use 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 applicant intends to rezone to “TOD” to enable the subject area to accommodate a mix of residential, commercial, and office uses.

Per Sec. 35-208 of the Unified Development Code, “TOD” development must consist of two subdistricts known as TOD Core (TOD-C) and TOD Periphery (TOD-P).

The following densities are permitted in each subdistrict:

TOD-C:        Less than 2 acres: 16 units per acre minimum, 40 units per acre maximum  
                  2 acres or more: 12 units per acre minimum, 36 units per acre maximum.

TOD-P:        Less than 2 acres: 12 units per acre minimum, 36 units per acre maximum  
                  2 acres or more: 8 units per acre minimum, 32 units per acre maximum.

The following floor area ratios are permitted in each subdistrict:

TOD-C:        Less than 2 acres: 2.5 minimum, 6.0 maximum  
                  2 acres or more: 2.0 minimum, 4.0 maximum.

TOD-P:        Less than 2 acres: 1.5 minimum, 4.0 maximum  
                  2 acres or more: 1.0 minimum, 2.0 maximum

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential and commercial uses. Under the densities prescribed by Table 208-1 in Sec. 35-208 of the Unified Development code, the applicant would be permitted a maximum of 2,207 units.