



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 3, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Amin Tohmaz, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2024-10700173

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, and "R-5 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District, and "MF-18 MLOD-2 MLR-2 AHOD" Limited Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 3, 2024

**Case Manager:** Samantha Benavides, Zoning Planner

**Property Owner:** DPEG Zarzamora, LLC

**Applicant:** Terra Associates, Inc c/o William Schock

**Representative:** Terra Associates, Inc c/o William Schock

**Location:** 854, 927, 1100, 1132, and 1200 East Chavaneaux Road

**Legal Description:** 57.741 acres out of NCB 11139

**Total Acreage:** 57.741 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 44

**Registered Neighborhood Associations within 200 feet:** N/A

**Applicable Agencies:** Lackland AFB, Planning Department, TxDOT

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned “B” Residence District. A portion of the property was rezoned by Ordinance 91777, dated May 11, 2000, to “B-3 SUP” Business District with a Special Use Permit for Outdoor Storage of New and Used Construction Material. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned “B” Residence District converted to “R-4” Residential Single-Family District and the property zoned “B-3 SUP” Business District with a Special Use Permit for Outdoor Storage of New and Used Construction Material converted to “C-3 S” General Commercial District with a Specific Use Authorization for Outdoor Storage of New and Used Construction Material. A portion of the property was rezoned by Ordinance 2012-10-04-0787, dated October 4, 2012, from “R-4” Residential Single-Family District to “C-2” Commercial District. Another portion of the property was rezoned by Ordinance 2021-08-05-0539, dated August 5, 2021, from “C-2” Commercial District and “C-3 S” General Commercial District with a Specific Use Authorization for Outdoor Storage of New and Used Construction Material to the current “R-4” Residential Single-Family District and “R-5” Residential Single-Family District.

**Code & Permitting Details:**

There is no code enforcement of 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-4”, "MH"

**Current Land Uses:** Single Family Dwellings, Mobile Home Park

**Direction:** East

**Current Base Zoning:** “R-4”, "I-2”

**Current Land Uses:** Single Family Dwellings, Warehouse

**Direction:** South

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

**Current Land Uses:** Vacant

**Direction:** West

**Current Base Zoning:** "R-4", "MH", "C-1"

**Current Land Uses:** Vacant, Assisted Living, Gas Station, Single Family Dwellings

**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:**

None

**Transportation**

**Thoroughfare:** East Chavaneaux Road

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Strech Avenue

**Existing Character:** Local

**Proposed Changes:** None

**Thoroughfare:** Loop 410

**Existing Character:** Interstate

**Proposed Changes:** None

**Public Transit:** There is no public transit within walking distance of the subject property.

**Routes Served:** None

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirements for multi-Family uses is 1.5 spaces per unit. The parking requirements for commercial uses can be found at Unified Development Code, Table 526-3a and Table 526-3b.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: "C-2" Commercial District accommodates 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.

"R-4" Residential Single-Family District permits a single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools.

"R-5" Residential Single-Family District permits a single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

Proposed Zoning: "C-2" Commercial District accommodates 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.

"MF-33" Multi-Family District permits any uses permitted in MF-33 with a maximum density of 33 units per acre.

"MF-18" Limited Density Multi-Family District permits a multi-family dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None

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

Subject property is not located within a Regional Center but is within ½ a mile from the Zarzamora Metro Premium Plus Transit Corridors.

**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 West/Southwest Sector Plan, adopted in April 21, 2011, and is currently designated as "General Urban Tier" in the future land use component of the plan. The requested "C-2", "MF-33", and "MF-18" base zoning districts are 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, "R-4" Residential Single-Family District, and "R-5" Residential Single-Family District are appropriate zoning districts for the property and surrounding area. The proposed "C-2" Commercial District, "MF-33" Multi-Family District, and "MF-18" Limited Density Multi-Family District are also appropriate. The request to rezone is to allow for development to further serve the community by providing additional housing and commercial uses. Given the residential single-family abutting the property to the north, the proposed multi-family zoning would establish a buffer from the requested commercial zoning and interstate to the south. Additionally, the subject property is situated along two local streets and Loop 410, offering appropriate street frontage for ingress/egress, and limiting the encroachment on the local neighborhood streets.
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. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P1: Incentivize the development of housing and employment uses in the city's priority growth areas.
  - GCF P5: Invest in needed amenities and infrastructure that will facilitate higher-density development in the city's priority growth areas.
  - H 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.
  - H Goal 5: High-density housing choices are available within the city's 13 regional centers and along its arterial and transit corridors.
  - H P30: Ensure infill development is compatible with existing neighborhoods.Relevant Goals and Policies of the West/Southwest Sector Plan may include:
  - Goal ED-1: The West/Southwest Sector is an economically sustainable community in which residents have a variety of employment opportunities.
  - ED-1.1: Locate business offices near existing residential areas within the Sector.
  - Goal HOU-1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.
  - Goal ED-3: The West/Southwest Sector community values existing and future businesses; businesses which in turn support the neighborhoods.
  - Goal LU-1: Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses.
6. **Size of Tract:** The 57.741-acre site is of sufficient size to accommodate the proposed residential and commercial 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 Military has indicated that there are no objections to this request.

Two accesses may be allowed onto LP 410. ROW reservation will be required. TxDOT coordination would be required.

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.