



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** June 4, 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-2024-10700084 (Council District 4) (Associated Plan Amendment PA-2024-11600028)

**SUMMARY:**

**Current Zoning:** "NP-10 MLOD-2 MLR-1 AHOD" Neighborhood Preservation Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "C-3R MLOD-2 MLR-1 AHOD" General Commercial Restrictive Alcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, and "I-1 MLOD-2 MLR-1 AHOD" General Industrial District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 4, 2024

**Case Manager:** Eradio Gomez, Zoning Senior Planner

**Property Owner:** James Caffey

**Applicant:** Lennar Homes of Texas Land & Construction, Ltd.

**Representative:** Ortiz McKnight PLLC

**Location:** located at 9371 Interstate 35 South

**Legal Description:** 24.135 acres out of NCB11298 and NCB 17364

**Total Acreage:** 24.135

**Notices Mailed**

**Owners of Property within 200 feet:** 20

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

**Applicable Agencies:** Lackland, Planning Department

**Property Details**

**Property History:** The property was annexed to the City of San Antonio by Ordinance 81105, dated December 30, 1994, with the southernmost part of the property zoned “R-A” Residential Agricultural District, a northern portion zoned “B” Residence District, a northwest portion zoned “B-3R” Restrictive Business District, and the northernmost part of the property zoned “I-1” Light Industry. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the “R-A” Residential Agricultural District was converted into the current “NP-10” Neighborhood Preservation District, the “B” Residence District converted to the current “R-4” Residential Single-Family District, the “I-1” Light Industry District converted to the current “I-1” General Industrial District and the “B-3R” Restrictive Business District converted to the current “C-3R” General Commercial Restrictive Alcoholic Sales District.

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

**Topography:** A portion of subject property is located with the 100 Year Flood Plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “FR”, “NP-10”, “C-3R”, and “I-1”

**Current Land Uses:** Athletic Fields, Vacant Land, Automotive Repair

**Direction:** South

**Current Base Zoning:** “NP-10”

**Current Land Uses:** Vacant Land, Single-Family Residential

**Direction:** East

**Current Base Zoning:** “R-4”

**Current Land Uses:** Single-Family Residential

**Direction:** West

**Current Base Zoning:** “NP-10”

**Current Land Uses:** Vacant Land

**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:** Interstate 35 Access Road

**Existing Character:** Collector

**Proposed Changes:** None known.

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

**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 requirement for Single-Family Residential is 1 space per dwelling unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "NP-10" Neighborhood Preservation District allows uses that are the same as within the "R-6" zoning district. Designed to protect existing platted subdivisions which are substantially developed with single-family detached dwelling units. (8,000 sq. ft. minimum lot size for NP-8, 10,000 sq. ft. minimum lot size for NP-10, and 15,000 sq. ft. minimum lot size for NP-15).

"R-4" Residential Single-Family District permits 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.

"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-3R" General Commercial Restrictive Alcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited

Proposed Zoning: “R-4” Residential Single-Family permits 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.

**FISCAL IMPACT:**

None.

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

Subject property is not located with a Regional Center nor within ½ a mile from the 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 West/Southwest Sector Plan adopted in 2011, and is currently designated as “Agribusiness Tier” in the future land use component of the plan. The requested “R-4” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Suburban Tier”. Staff and Planning Commission recommend Approval..
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 "NP-10" Neighborhood District, "R-4" Residential Single-Family District, "C-3R" General Commercial Restrictive Alcoholic Sales District, and "I-1" General Industrial District are appropriate zoning districts for the property and surrounding area. The proposed “R-4” Residential Single-Family District is appropriate as well. The applicant is wanting to develop a single-family residential community, that is consistent with existing zoning and future development within proximity. The proposal is also consistent with the goals and objectives of the Strategic Housing Implementation Plan, which encourages the development of housing to accommodate the city’s growing population.
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. 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.
  - 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 Policy 30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Strategies of the Heritage South Sector Plan may include:

- Goal HOU-1 An array of housing choices throughout the area with an appropriate mix of densities and housing types.
- HOU-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 24.135 acres 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, JBSA 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 a residential subdivision with lot sizes of 4,000 square feet. At 24.135 acres, there could potentially be development of 262 lots.