



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 19, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 9

**SUBJECT:**

ZONING CASE Z-2023-10700334 (Associated Plan Amendment PA-2023-11600085)

**SUMMARY:**

**Current Zoning:** "C-1 PUD MLOD-1 MLR-2 AHOD" Light Commercial Planned Unit Development Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "R-6 PUD MLOD-1 MLR-2 AHOD" Residential Single-Family Planned Unit Development Camp Bullis Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 19, 2023

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** Jason Goldblum & Veronica Adriana Goldblum

**Applicant:** Jason Goldblum & Veronica Adriana Goldblum

**Representative:** Ortiz McKnight, PLLC

**Location:** 1402 Walkers Way

**Legal Description:** Lot 3, Block 3, NCB 17160

**Total Acreage:** 0.7705 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 30

**Registered Neighborhood Associations within 200 feet:** No registered Neighborhood Association within 200'

**Applicable Agencies:** Planning Department, Fort Sam Houston, Martindale Army Airfield

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 53902 dated July 26, 1981, and was originally zoned Temporary "R-1" Single Family Residence District. The property was rezoned by Ordinance 54,184 dated August 20, 1981, to "B-2" Business District. The property was rezoned by Ordinance 89,749 dated May 13, 1999 to "P-1(B-1)" Planned Unit Development Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "P-1(B-1)" Planned Unit Development Business District converted to the current "C-1 PUD" Light Commercial Planned Unit Development District.

**Code & Permitting Details:**

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:** "C-2NA"

**Current Land Uses:** Medical office

**Direction:** South

**Current Base Zoning:** "C-1 PUD"

**Current Land Uses:** Residential dwelling

**Direction:** East

**Current Base Zoning:** "C-2", "MF-33"

**Current Land Uses:** Office building, Apartments

**Direction:** West

**Current Base Zoning:** "R-6"

**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-1" Camp Bullis 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 Planned Unit Development special district provides flexibility in development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties; while preserving natural amenities and features of a site and providing for a minimum amount of open space. PUDs provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure; encourage infill projects and development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography. A site plan is required for a rezoning to "PUD" 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 plat and building permit.

**Transportation**

**Thoroughfare:** Walkers Way

**Existing Character:** Local Street

**Proposed Changes:** None known

**Public Transit:** There are VIA bus routes in proximity to the subject property.

**Routes Served:** 2

**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 a single-family home is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-1" Light Commercial Districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The "PUD" Planned Unit Development District provides flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties.

Proposed Zoning: “R-6” Residential Single-Family Planned Unit Development District permits single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The "PUD" Planned Unit Development District provides flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties.

**FISCAL IMPACT:**

None.

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

The subject property is not located within Regional Center or within a ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 San Antonio International Airport Vicinity Land Use Plan, adopted May 2010, and is currently designated as “Neighborhood Commercial” in the future land use component of the plan. The requested “R-6 PUD” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Low Density Residential”. Staff recommends Approval, and the Planning Commission recommendation is pending the December 13, 2023 hearing.
- 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 not consistent with the established development pattern of the surrounding area.
- 3. Suitability as Presently Zoned:** The current “C-1 PUD” Light Commercial Planned Unit Development District is an appropriate zoning for the property and surrounding area. The proposed “R-6 PUD” Residential Single-Family Planned Unit Development District is also appropriate. While the property is proximate to Blanco Road, a commercial corridor, it is accessed off of a local street and directly abutting a single-family residential neighborhood. The property is part of an established planned unit development area predominately comprised of residential properties and is placed and sized to adequately accommodate the proposed development. Additionally, the proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of housing stock to accommodate the 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 objectives of the San Antonio International Airport Vicinity Land Use Plan:
  - Goal I: Protect the quality of life of residents including health, safety and welfare
    - Objective 1.1 Protect integrity of existing residential neighborhoods and prevent excessive noise pollution and other airport hazards
    - Objective 1.2 Discourage developments of incompatible uses in the airport environs and noise exposure contours
  - Objective 2.1 Upgrade and enhance airfront commercial and business park property that is declined, is currently vacant, or is underutilized.
6. **Size of Tract:** The subject property is 0.7705 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The applicant intends to rezone the property to “R-6 PUD” to accommodate the development of a single-family home on the property.

The subject property is located within the Camp Bullis 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 applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses, with one (1) residential unit proposed. This is consistent with the maximum allowable density for “R-6 PUD”, which is 5 units per acre.

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.