



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 17, 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-2024-10700193

(Associated Plan Amendment Case PA-2024-11600060)

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "R-6 MLOD-2 MLR-1 MAOZ-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Military Airport Overlay Airport Hazard Overlay District

**Requested Zoning:** "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 5.202 acres out of NCB 11262 and "C-2 MLOD-2 MLR-1 MAOZ-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Military Airport Overlay Airport Hazard Overlay District on 0.046 acres out of NCB 11262

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 17, 2024

**Case Manager:** Alexa Retana, Zoning Planner

**Property Owner:** Fireplace Investments, LLC

**Applicant:** GGE Consulting Engineers Inc.

**Representative:** Gustavo Callaghan P.E.

**Location:** 3400 Golden Avenue

**Legal Description:** 5.248 acres out of NCB 11262

**Total Acreage:** 5.248 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 34

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

**Applicable Agencies:** Lackland Air Force Base and Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 25, 1952, and zoned "B" Residence District. The property was rezoned by Ordinance 93308, dated January 25, 2001, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "R-1" Single-Family Residence District converted to the current "R-6" Residential Single-Family District.

**Code & Permitting History:**

Major Plat – LAND-PLAT-24-11800350 – July 2024 (Plat 28 lots)

**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:** RM-4

**Current Land Uses:** Residential Dwellings, Church

**Direction:** South

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

**Current Land Uses:** Vacant, Residential Dwellings

**Direction:** East

**Current Base Zoning:** RM-4

**Current Land Uses:** Residential Dwellings, Trucking Company

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Vacant

**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.

“MAOZ-1” The City of San Antonio has designated the military airport overlay zones in order to promote the public health, safety, peace, comfort, convenience, and general welfare of the inhabitants of military airport environs and to prevent the impairment of military airfields and the public investment therein. The land areas below military airport take off and final approach paths are exposed to significant danger of aircraft accidents. It is, therefore, necessary to limit the density of development and intensity of uses in such areas. The military airport overlay zones are intended to:

- Guide, control, and regulate future growth and development.
- Promote orderly and appropriate use of land.
- Protect the character and stability of existing land uses.
- Enhance the quality of living in the areas affected.
- Protect the general economic welfare by restricting incompatible land uses.
- Prevent the establishment of any land use which would endanger aircraft operations and the continued use of military airports.

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:**

None.

**Transportation**

**Thoroughfare:** Golden Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Masters Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

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

**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 Dwelling – 1 Family (Detached) development is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “R-6” Residential Single-Family District allows for 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.

Proposed Zoning: “R-5” Residential Single-Family District allows for 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.

“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.

**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 of the Looper Premium Transit Corridor and General McMullen-Babcock 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 West/Southwest Sector Plan, adopted in 2011, and is currently designated as “Rural Estate Tier” in the future land use component of the plan. The requested “R-5” and “C-2” zoning districts are 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. Surrounding properties are “R-4” Residential Single-Family, “RM-4” Residential Mixed District, and “C-3” General Commercial District.
3. **Suitability as Presently Zoned:** The existing "R-6" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "R-5" Residential Single-Family District and “C-2” Commercial District are also appropriate zonings. The proposed residential zoning is for a single-family subdivision, which is consistent with the established residential development abutting the property. The proposed commercial zoning is within the Military Airport Overlay (MAOZ-1), which restricts residential uses, making it

consistent with UDC regulations and the surrounding area. The property is situated at the intersection of two local streets, which can adequately accommodate the proposed density of a subdivision. Additionally, the proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city's growing population at all income levels.

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 P2: Identify and support catalyst projects which include a mix of housing types for a range of income levels and which attract additional employment.
  - 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 P10: Ensure land use designations and other policies allow for and encourage a mixture of housing types and densities of housing within development projects.

Relevant Goals and Objectives of the West/Southwest Sector Plan may include:

- Goal HOU-1: Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
    - o HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood
  - Goal HOU-3: Housing is well maintained to help ensure the long-term viability of neighborhoods
    - o HOU-3.1 Re-invest in existing residential neighborhoods
  - Goal LU-1 Land use pattern emphasizes compatibility and appropriateness between uses, and protects neighborhoods and businesses from incompatible land uses
    - o LU-1.4 Allow for greater densities in neighborhoods adjacent or proximate to existing and planned activity centers and pedestrian oriented commercial nodes. Density should decrease as the distance from the activity center increases
6. **Size of Tract:** The subject property is 5.248 acres, which can reasonably accommodate the proposed residential development.
  7. **Other Factors:** The property is proposed for development of a residential subdivision with lot sizes of 5,000 square feet. At 5.248 acres, there could potentially be development of 45 lots. The applicant is proposing twenty-eight (28) lots with the rezoning. The commercial portion will remain undeveloped.

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.