



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** July 16, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

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

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**  
ZONING CASE ZONING-Z-2024-10700138 S

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-1 MLOD-2 MLR-2 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 S MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for a Hospital

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 16, 2024

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

**Property Owner:** Hill Country Resorts Estates Joint Venture

**Applicant:** Encompass Health Texas Real Estate, LLC

**Representative:** Brown & McDonald, PLLC

**Location:** Generally located in the 1900 block of Rogers Road

**Legal Description:** 7.081 acres out of NCB 17673

**Total Acreage:** 7.081

### **Notices Mailed**

**Owners of Property within 200 feet:** 35

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

**Applicable Agencies:** Lackland Air Force Base

### **Property Details**

**Property History:** Subject property was annexed into the City of San Antonio by Ordinance 81107, dated December 31, 1994, and zoned Temporary "R-1" Single Family Residence District. A portion along the west was rezoned by Ordinance 67776, dated August 18, 1988, to "B-3" Business District. The remaining portion of the subject property was rezoned by Ordinance 84152, dated May 23, 1996, to "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 3, 2001, the property zoned "B-3" Business District and "R-1" Single-Family Residence District converted to "C-3" General Commercial District and "R-6" Residential Single-Family District respectively. The "R-6" Residential Single-Family District section was rezoned by 2008-06-19-0626, dated June 19, 2008, to the current "C-3" General Commercial District and "C-1" Light Commercial District.

**Code & Permitting Details:** There is no code enforcement or 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:** C-3, ED

**Current Land Uses:** Golf Course

**Direction:** South

**Current Base Zoning:** MF-33

**Current Land Uses:** Multi-Family Residential Development

**Direction:** East

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

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

**Direction:** West

**Current Base Zoning:** C-3

**Current Land Uses:** Medical Offices, Vacant Property

### **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:**

N/A

**Transportation**

**Thoroughfare:** Rogers Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None known.

**Thoroughfare:** West Military Drive

**Existing Character:** Secondary Arterial

**Proposed Changes:** None known.

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 64

**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 a Hospital is 1 space per 400sf GFA, and the maximum parking requirement is 1 space per 100sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

"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.

Proposed Zoning: "C-2 S" 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.

The Specific Use Authorization would permit a Hospital use.

**FISCAL IMPACT:**

None

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

Subject property is not located within a Regional Center nor within ½ a mile from a 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 Highway 151 and Loop 410 Area Regional Center Plan, adopted in 2022, and is currently designated as "Regional Mixed Use" in the future land use component of the plan. The requested "C-2" 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. There is existing "C-3" General Commercial zoning across Rogers Road.
3. **Suitability as Presently Zoned:** The existing "C-3" General Commercial District and "C-1" Light Commercial District are appropriate zonings for the property and surrounding area. The proposed "C-2 S" Commercial District with a Specific Use Authorization for a Hospital is also appropriate. The property is located at the intersection of two secondary arterials which can reasonably support the proposed traffic, and the existing "C-3" General Commercial District to the west of the subject property accommodates several medical clinics and office space which would complement the proposed hospital use.
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 from the Comprehensive Plan may include:
- GCF Goal 2: Priority growth areas attract jobs and residents.
  - GCF Goal 6: Growth and city form support community health and wellness.
  - JEC Goal 2: Traditional and targeted growth industries support San Antonio's diversified economy and provide a wide range of job opportunities.
  - JEC Goal 3: San Antonio's skilled and educated workforce supports the city's traditional and emerging growth industries.

Relevant goals and objectives from the Highway 151 and Loop 410 Area Regional Center Plan may include:

- Goal 3: Leverage education, infrastructure, and business assets to support future economic growth.

- 6. Size of Tract:** The 7.081 acre site is of sufficient size to accommodate the proposed 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, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant is rezoning to develop a Hospital.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.