



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** July 18, 2023

**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-2023-10700145

**SUMMARY:**

**Current Zoning:** “C-2 CD MLOD-2 MLR-2 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair

**Requested Zoning:** “RM-4 MLOD-2 MLR-2 AHOD” Residential Mixed Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 18, 2023

**Case Manager:** Mark Chavez, Planner

**Property Owner:** Juarez Lazaro

**Applicant:** Ortiz McKnight, PLLC

**Representative:** Ortiz McKnight, PLLC

**Location:** 9927 Westover Bluff

**Legal Description:** Lot 2, Block 43, NCB 19300

**Total Acreage:** 0.5023

## **Notices Mailed**

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

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

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

## **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 92902, dated December 31, 2000, and zoned Temporary "R-1" Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary "R-1" Single-Family Residential converted to "R-6" Single-Family Residential. The property was rezoned by Ordinance 96160, dated August 8, 2002, to "C-2" Commercial District. The property was rezoned by Ordinance 2018-08-02-0585, dated August 2, 2018, to "C-2 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair.

**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:** "R-5"

**Current Land Uses:** Single Family Residential

**Direction:** East

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

**Current Land Uses:** Animal Clinic

**Direction:** South

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

**Current Land Uses:** Auto Parts Retail

**Direction:** West

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

**Current Land Uses:** Two Family Dwelling, Duplex

## **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:** Potranco Road

**Existing Character:** Principal

**Proposed Changes:** None known.

**Thoroughfare:** Westover Bluff

**Existing Character:** Local

**Proposed Changes:** None known.

**Public Transit:** There are VIA bus routes are within walking distance of the subject property.

**Routes Served:** 620 & 613

**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 multifamily units is 1.5 spaces per unit.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Current Zoning: "C-2 CD" 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.

The current "CD" Conditional Use permits Auto and Light Truck Repair on the property.

Proposed Zoning: "RM-4" Residential Mixed District allows single-family dwellings (detached, attached or townhouse), multi-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, foster family home, public and private schools.

### **FISCAL IMPACT:**

None.

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

The subject property is not within a Regional Center or within 1/5 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 West Sector Plan and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “RM-4” 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. Properties to the west of the subject property are zoned “RM-6” Residential Mixed District and there is “R-5” Residential Single-Family to the north of the site.
- 3. Suitability as Presently Zoned:** The existing “C-2 CD” Commercial District with a Conditional Use for Auto and Light Truck Repair is an appropriate zoning for the property and surrounding area. The proposed “RM-4” Residential Mixed District is a more appropriate. The property is located off a small local street and would provide a transition between the existing single-family and the higher intense commercial uses along Westover Bluff and Ellison. The rezoning will also meet the goals of the Strategic Housing Implementation Plan for more housing alternatives for the City’s growing housing needs.
- 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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the West Sector Plan.
  - GOAL HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan
  - HOU-1.2 Provide a range of housing types and prices to accommodate all residents.
  - GOAL HOU-2 New housing developments locate near existing community facilities, schools, and physical infrastructure (e.g., streets, water, sewer, etc.) with sufficient capacity to serve new development.
- 6. Size of Tract:** The 0.5023-acre site is of sufficient size to accommodate the future 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, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.