



# 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 8

**SUBJECT:**

ZONING CASE Z-2023-10700136 CD

**SUMMARY:**

**Current Zoning:** "R-20 MSAO-1 MLOD-1 MLR-1" Residential Single-Family Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 District

**Requested Zoning:** "R-20 CD MSAO-1 MLOD-1 MLR-1" Residential Single-Family Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 District with a Conditional Use for Assisted Living Facility with sixteen (16) residents

**BACKGROUND INFORMATION:**

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

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

**Property Owner:** Marina Popl

**Applicant:** Gustavo Gonzalez

**Representative:** Gustavo Gonzalez

**Location:** 7095 Heuermann Road

**Legal Description:** the south 295 feet of the west 135.4 feet of Lot 13, NCB 35733

**Total Acreage:** 0.917 Acres

**Notices Mailed**

**Owners of Property within 200 feet:** 10

**Registered Neighborhood Associations within 200 feet:** NA

**Applicable Agencies:** Camp Bullis Army Base, Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 88824 dated December 30, 1998 and originally zoned Temporary “R-1” Single-Family Residence District. The property was rezoned by Ordinance 89,324 dated February 25, 1999 to “R-8” Large Lot Residence District. With the adoption of the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “R-8” Large Lot Residence District converted to the current "R-20" Residential Single-Family District.

**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:**

**Current Land Uses:** Elementary school

**Direction:** South

**Current Base Zoning:**

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** “L S” “C-2NA CD”

**Current Land Uses:** Construction Contractor Facility

**Direction:** West

**Current Base Zoning:** “I-1, “R-20”

**Current Land Uses:** Vacant, Building material retailer

**Overlay District Information:**

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.

The "MSAO-1" Camp Bullis Military Sound Attenuation Overlay District does not restrict permitted uses but does enforce construction standards intended to lessen the impact of external noise from the nearby military installation. The “MSAO-1” regulations apply to new construction of habitable structures.

**Special District Information:**

No special district information.

**Transportation**

**Thoroughfare:** Heuermann Road

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes are 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 an assisted living facility is 0.3 parking spaces per bed plus 1 parking space for each employee.

**Thoroughfare:** Heuermann Road

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** There are no VIA bus routes are within walking distance of the subject property.

**Routes Served:** 22, 24, 222

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**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: Single-family dwelling (detached) with a minimum lot size of 20,000 square feet and a minimum lot width of 90 feet, accessory dwelling, foster family home, public and private schools.

Proposed Zoning: "R-20 CD" Residential Single-Family District with a Conditional Use permits single-family dwelling (detached) with a minimum lot size of 20,000 square feet and a minimum lot width of 90 feet, accessory dwelling, foster family home, public and private schools.

The "CD" Conditional Use would permit an Assisted Living Facility with up to sixteen (16) residents.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center or within a ½ mile of 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 North Sector Plan and is currently designated as "Suburban Tier" in the future land use component of the plan. The requested "R-20 CD" 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. The property is on a block with a mix of zoning designations in proximity.
- 3. Suitability as Presently Zoned:** The current "R-20" Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed "R-20 CD" Residential Single-Family District with a Conditional Use for an Assisted Living Facility is also appropriate. The property is situated in an area where residential, industrial, and commercial uses are all in close proximity, and is sized appropriately to accommodate the proposed assisted living facility. The "CD" Conditional Use requires the development be held to a site plan that regulates various development aspects, and prevents expansion of the 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 objectives of the North Sector Plan:
- HOU-1.1 Promote innovative allowances that expand the variety of housing types and embraces flexible standards
  - HOU-1.2 Encourage compatible residential growth patterns and transitions
  - LU-1.5 Promote flexibility and innovation in residential, business and recreational land uses
6. **Size of Tract:** The subject property is 0.917 Acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential uses with sixteen residents 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, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.