



City of San Antonio

Agenda Memorandum

Agenda Date: August 16, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:
ZONING CASE Z-2022-10700162

SUMMARY:

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

Requested Zoning: "MXD MLOD-2 MLR-2 AHOD" Mixed-Use Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a maximum density of 25 units per acre

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 16, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: Clara L. Shovlin

Applicant: Rosehaven Homes, LLC

Representative: Killen, Griffin, and Farrimond, PLLC

Location: 11130 South Interstate Highway 35

Legal Description: 44.988 acres out of NCB 14569

Total Acreage: 44.988

Notices Mailed

Owners of Property within 200 feet: 17

Registered Neighborhood Associations within 200 feet: N/A

Applicable Agencies: Lackland Air Force Base, Texas Department of Transportation

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 200802070102, dated February 6, 2008 and zoned "UD" Urban Development District. The property was rezoned by Ordinance 2014-08-07-0557, dated August 7, 2007 to "C-3" General Commercial District.

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: UZROW

Current Land Uses: Interstate Highway 35

Direction: South

Current Base Zoning: NP-8

Current Land Uses: Residential Dwelling

Direction: East

Current Base Zoning: OCL

Current Land Uses: OCL

Direction: West

Current Base Zoning: C-3

Current Land Uses: Flex Industrial Warehouse

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-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: N/A

Transportation

Thoroughfare: Interstate Highway 35

Existing Character: Interstate

Proposed Changes: None Known

Thoroughfare: Fischer Road

Existing Character: Local

Proposed Changes: None Known

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

Traffic Impact: The traffic generated by the proposed development has increase it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502** A TIA Report will be Required.

Parking Information: The minimum parking for a residential Single Family home is 1 per unit.

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.

Proposed Zoning: "MXD" Mixed Use Districts are intended to provide a concentrated mix of residential, retail, service, and office uses.

The applicant proposes residential and commercial uses.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The Subject property is located with the Far Southwest Regional Center.

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 Heritage South Sector Plan and is currently designated as “General Urban Tier and Regional Center Tier” in the future land use component of the plan. The requested “MXD” 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.
3. **Suitability as Presently Zoned:** The existing “C-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “MXD” Mixed Use District is also an appropriate zoning for the property and surrounding area. The “MXD” Mixed Use District would allow a mix of commercial and residential use. The proposed density for the residential is 25 units per acre.
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 Heritage South Sector Plan.
 - Goal HOU-1 An array of housing choices throughout the area with an appropriate mix of densities and housing types
 - HOU-1.2 Encourage higher-density housing at strategic nodes
 - HOU-1.3 Promote clustered housing including Conservation Subdivision Development and large lot development in rural areas
6. **Size of Tract:** The 44.988 acre site is of sufficient size to accommodate the proposed mixed use development.
7. **Other Factors:** The applicant intends to rezone to develop a 44 acre residential and commercial site.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates residential and commercial uses. The residential density on the site plan indicates 25 units per acre.

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.