



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 5, 2024

**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-2024-10700012 CD

**SUMMARY:**

**Current Zoning:** "R-6 CD MLOD-1 MLR-2" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Professional Office

**Requested Zoning:** "R-6 CD MLOD-1 MLR-2" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 District with a Conditional Use for Assisted Living Facility with no more than sixteen (16) residents

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 5, 2024

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

**Property Owner:** Benjamin Gheliuc

**Applicant:** Benjamin Gheliuc

**Representative:** Benjamin Gheliuc

**Location:** 4211 Honeycomb Drive

**Legal Description:** Lot 12, Block 2, NCB 14712

**Total Acreage:** 0.88 acres

## **Notices Mailed**

**Owners of Property within 200 feet:** 19

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

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

## **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 41428 dated December 26, 1972, and originally zoned Temporary "R-1" Single-Family Residence District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned Temporary "R-1" Single-Family Residence District converted to "R-6" Residential Single-Family District. The property was rezoned by Ordinance 2013-09-05-0624, dated September 5, 2023, to the current "R-6 CD" Residential Single-Family District with a Conditional Use for a Professional Office.

**Code & Permitting Details:** No code or permitting information.

**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-6"

**Current Land Uses:** Residential dwellings

**Direction:** South

**Current Base Zoning:** "R-6", "C-2NA"

**Current Land Uses:** Vacant, Residential Dwelling, Music school, Professional office

**Direction:** East

**Current Base Zoning:** "R-6", "RM-4 PUD"

**Current Land Uses:** Residential dwellings

**Direction:** West

**Current Base Zoning:** "R-6", "C-2NA", "C-2", "C-3"

**Current Land Uses:** Professional office, Carwash, Residential dwelling

## **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.

## **Special District Information:**

No special district information.

## **Transportation**

**Thoroughfare:** Honeycomb Drive

**Existing Character:** Local street

**Proposed Changes:** None Known

**Thoroughfare:** Rustic Lane

**Existing Character:** Local street

**Proposed Changes:** None Known

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

**Routes Served:** 96, 503, 603

**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 space for each employee.

## **ISSUE:**

None.

## **ALTERNATIVES:**

Current Zoning: "R-6 CD" Residential Single-Family District permits 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.

The current conditional use assigned to the property allows for the development of a professional office.

Proposed Zoning: "R-6 CD" Residential Single-Family District permits 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.

If approved, the uses permitted would be for an assisted living facility, with no more than 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, adopted August 2010, and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “R-6 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.
3. **Suitability as Presently Zoned:** The current “R-6 CD” Residential Single-Family District with a Conditional Use for a Professional Office is an appropriate zoning for the property and surrounding area. The proposed “R-6 CD” Residential Single-Family District with a Conditional Use for an Assisted Living Facility with no more than sixteen (16) residents is also appropriate. Even though the property is situated in a predominately residential area, there are existing office spaces across the street and down the road, sharing the same block. The proposal would enable the property to accommodate a less intense neighborhood commercial use, in lieu of the commercial conditional use currently assigned to the property. The “CD” portion of the request prescribes a site plan that will address development aspects such as building size, height, and placement, as well as the layout of the parking. Deviation from the approved plan could potentially warrant additional Council consideration.
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:
  - LU-1.1 Locate buffers between high density/intensity land uses that are potentially incompatible.
  - LU-1.3 Promote a variety of housing types, including apartments, lofts, condominiums, townhouses and single family attached and detached housing between Loop 1604 and Loop 410.
  - LU-1.5 Promote flexibility and innovation in residential, business and recreational land uses through planned unit developments, conservation subdivisions, specific plans, mixed use projects, and other innovative development and land use planning techniques.
  - LU-6.5 Encourage development that is visually and functionally compatible with its surrounding neighborhoods by maintaining a massing and density of development that is compatible with adjacent developed neighborhoods.
6. **Size of Tract:** The subject property is 0.88 acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to rezone to “R-6 CD” to develop an assisted living facility, at a maximum capacity of 16 residents.

The subject property is located within the Camp Bullis 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.

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 following conditions shall apply to the operation of nonresidential uses permitted within any residential district, unless otherwise approved by the City Council:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.