



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** November 15, 2022

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 6

**SUBJECT:**

ZONING CASE Z-2022-10700275 CD

**SUMMARY:**

**Current Zoning:** “MPCD MLOD-2 MLR-1 AHOD” Master Planned Community Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** “C-2 CD MLOD-2 MLR-1 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for a Human Service Campus

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 15, 2022

**Case Manager:** Mark Chavez, Planner

**Property Owner:** Regency HIS of Lakeside AI LLC

**Applicant:** Regency HIS of Lakeside AI LLC

**Representative:** Brown & Ortiz, PC

**Location:** 8627 Lakeside Parkway

**Legal Description:** Lot 4, Block 8, NCB 19127

**Total Acreage:** 5.25

### **Notices Mailed**

**Owners of Property within 200 feet:** 21

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

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

### **Property Details**

**Property History:** The property was annexed by Ordinance 70435, dated December 30, 1989 and originally zoned Temporary R- 1, Single Family Residence District. The property was then rezoned by Ordinance 71278 dated March 22, 1998 to “I-1” Light Industry District. The subject property was then rezoned by Ordinance 2007-01-04-0036 dated January 14, 2007 from “I-1” to the current “MPCD” Master Planned Community 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:** MPCD

**Current Land Uses:** Apartment Complex, (Echelon at Monterrey Village)

**Direction:** South

**Current Base Zoning:** R-5

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

**Direction:** East

**Current Base Zoning:** MPCD

**Current Land Uses:** Nursing and Rehabilitation Center

**Direction:** West

**Current Base Zoning:** MPCD

**Current Land Uses:** Harmony Science Academy

### **Overlay District Information:**

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland Air Force Base. The "MLOD-2" 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.

### **Transportation**

**Thoroughfare:** Lakeside Parkway

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance.

**Routes Served:** 618

**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 amount of parking spaces provided for Medical- Skilled Nursing Facilities is at 0.3 per bed and maximum of 1 per bed.

**Proximity To Regional Center/Premium Transit Corridor:**

Subject property is not located within a Regional Center and is within ½ mile of the Premium Transit Corridor.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “MPCD” Master Planned Community Development are areas of mixed uses that are internally compatible in an effort to achieve well designed development and provide a more efficient arrangement of land uses, building and circulation systems.

Proposed: “C-2 CD” Commercial District 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 “CD” Conditional Use will allow a Human Service Campus.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

1. **Consistency:** The subject property is located within the West/Southwest Sector Plan and is currently designated as “General Urban Tier” 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 find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed zoning is consistent with the established development pattern of the surrounding area but the proposed use is more intense and generally found in the “C-3” General Commercial District.
3. **Suitability as Presently Zoned:** The existing “MPCD” Master Planned Community District is appropriate zoning for the property and the surrounding area. The proposed “C-2 CD” Commercial District with a Conditional Use for a Human Services Campus is not appropriate. While the base “C-2” Commercial District is appropriate. This proposed use is found and allowed in the “C-3” General Commercial District and even then requires a Specific Use Authorization. The proposed intensity of this use is not in alignment with the school across the street or the assisted living, multi-family and residential zoning and uses in the area. Additionally, Lakeside Parkway is a local street and uses of this intensity are more appropriate along arterial streets.
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 West/Southwest Sector Plan.

**Relevant Goals and Policies of the West/Southwest Sector Plan**

**Goal LU-1** Land use pattern emphasizes compatibility and appropriateness between uses,

and protects neighborhoods and businesses from incompatible land uses.

**Goal LU-8** Established rural communities maintain their rural character

6. **Size of Tract:** The 5.25-acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** The subject property is located within the Lackland AFB AwarenessZone/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 applicant is rezoning for a Human Services Campus.

