



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 1, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2022-10700234

(Associated Plan Amendment PA-2022-11600089)

**SUMMARY:**

**Current Zoning:** "R-5 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3 MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "MF-18 MLOD-2 MLR-1 AHOD" Limited Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 20, 2022

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

**Property Owner:** Continental Homes of Texas, LP

**Applicant:** DHI Communities, a D.R. Horton Company

**Representative:** Killen, Griffin, and Farrimond, PLLC

**Location:** Generally located in the 7500 Block of Southwest Loop 410

**Legal Description:** 28.79 acres out of NCB 15248

**Total Acreage:** 28.79

**Notices Mailed**

**Owners of Property within 200 feet:** 61

**Registered Neighborhood Associations within 200 feet:** People Active in Community Effort and Solana Ridge Homeowners Association

**Applicable Agencies:** Lackland Airforce Base, Planning Department

**Property Details**

**Property History:** A portion of the property was annexed into the City of San Antonio by Ordinance 41420 dated December 25, 1972 and a portion of the property was annexed by Ordinance 83135 dated December 30, 1995. At the time of annexation, all portions of the property were zoned Temporary “R-1” Single-Family Residence District. A portion of the property was rezoned by Ordinance 48,150 dated June 16, 1977, to “B-3” Business District. A portion of the property was rezoned by Ordinance 85498 dated January 23, 1997, to “R-A” Residence-Agriculture District. Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned “B-3” Business District converted to the current “C-3” General Commercial District, and the portion of the property zoned “R-A” Residence-Agriculture District converted to “NP-10” Neighborhood Preservation District. This portion of the property was rezoned by Ordinance 99878 dated October 24, 2004, to the current “R-5” Residential Single-Family District.

**Topography:** The property does not include any abnormal physical features such as slope; a small portion of the property is in the floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** “C-3” “R-5”

**Current Land Uses:** Residential Dwelling, Walmart

**Direction:** South

**Current Base Zoning:** “R-6”

**Current Land Uses:** Residential Dwelling, Stone Supplier

**Direction:** East

**Current Base Zoning:** “C-3” “R-5” “R-6” “C-2NA CD”

**Current Land Uses:** Highway, Residential Dwelling, Apartments

**Direction:** West

**Current Base Zoning:** “R-6” “R-5”

**Current Land Uses:** Residential Dwelling

**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:**

None.

**Transportation**

**Thoroughfare:** Southwest Loop 410

**Existing Character:** Interstate Highway

**Proposed Changes:** None Known

**Public Transit:** There are VIA bus routes within a ½ mile of the subject property.

**Routes Served:** 611

**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 multi-family residential dwellings are 1.5 parking spaces per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-5" Residential Single-Family allows dwellings (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

"R-6" Residential Single-Family allows dwellings (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.

"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: "MF-18" Limited Multi-family District allows dwelling, single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is located within the Port San Antonio Regional Center but is not within a ½ mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval, pending Plan Amendment.

**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 Port San Antonio Area Regional Center Plan and is currently designated as "Regional Mixed Use" in the future land use component of the plan. The requested "MF-18" base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Urban Mixed Use". Staff and Planning Commission recommend Approval.
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 proposed land use and zoning also allows for diversity of housing and housing alternatives for the area, which is consistent with the City's Strategic Housing Implementation Plan.
3. **Suitability as Presently Zoned:** The current "R-5" Residential Single-Family District, "R-6" and "C-3" General Commercial District are appropriate zonings for the property and surrounding area. The proposed "MF-18" Limited Density Multi-Family District is also appropriate for the property. The subject property resides between an established single family residential area and Southwest Loop 410, and would serve a transitional buffer between the two, while adding an alternative housing type to the area.
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 Port San Antonio Area Regional Center Plan:
- Goal 4: Increase housing options while preserving or increasing home ownership rates.
    - o Introduce a variety of housing options in the area, particularly those currently under-represented or missing from the area that may appeal to current or future residents, including those employed within the Regional Center area.
    - o Direct higher density housing options to targeted focus areas and along major corridors and encourage appropriate transitions of density and intensity to existing lower density neighborhoods.
    - o Identify locations for future housing options and mixed-use/retail development uses so that they are close in proximity to encourage a vibrant and active area.
- 6. Size of Tract:** The subject property is 28.79 acres, which can reasonably accommodate a multi-family residential development.
- 7. Other Factors:** The applicant intends to rezone to “MF-18” Limited Density Multi-Family District to allow for the development of single-story cottages on the property. If approved, they would be permitted a maximum of 18 dwelling units per acre.

The subject property is located within the Lackland Airfield Base 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.