



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** February 7, 2023

**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-2022-10700324

(Associated Plan Amendment PA-2022-11600113)

**SUMMARY:**

**Current Zoning:** "C-3NA MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales 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 maximum density of fifty (50) dwelling units per acre

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 7, 2023. This case was continued from January 17, 2023.

**Case Manager:** Camryn Blackmon, Planner

**Property Owner:** KEM Texas, Ltd. A Texas Limited Liability Company

**Applicant:** KEM Texas, Ltd. A Texas Limited Liability Company

**Representative:** Brown & Ortiz, P.C.

**Location:** Generally located in the 600 block of Richland Hills Drive

**Legal Description:** 10.058 acres of NCB 15329

**Total Acreage:** 10.058

**Notices Mailed**

**Owners of Property within 200 feet:** 9

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

**Applicable Agencies:** Lackland Airfield

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 62547, dated May 11, 1986, and zoned "R-1" Temporary Single-Family Residence District. The property was rezoned by Ordinance 71278, dated March 22, 1998, to "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2" Business District converted to the current "C-2" Commercial District. The property was rezoned by Ordinance 2007-08-02-0840, dated August 8, 2007, to "C-3 NA" General Commercial Nonalcoholic Sales 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:** C-3NA

**Current Land Uses:** School

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Apartment Complex

**Direction:** South

**Current Base Zoning:** I-1

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** C-3NA

**Current Land Uses:** Pet store and Medical office

**Overlay District Information:**

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.

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.

**Special District Information:**

The Mixed Use District is a special district designed to provide a concentrated mix of residential, retail, service, and office uses. A site plan is required for a rezoning to “MXD” that will include the location of the uses. A zoning review is performed by the Zoning Section of the Development Services Department during the review of the building permit.

**Transportation**

**Thoroughfare:** Richland Hills Drive

**Existing Character:** None

**Proposed Changes:** None Known

**Thoroughfare:** Midhurst Avenue

**Existing Character:** None

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 614

**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 Sec35-502\*\*

A TIA Report will be Required.

**Parking Information:** The minimum parking requirement for apartments with maximum density of 50 dwellings per gross acre is 1 per unit. The maximum parking requirement for apartments with maximum density of 50 dwellings per gross acre is 1.9 unit.

The minimum parking requirement for self-service storage is 4 spaces plus 2 for manager’s quarters. There is no maximum parking requirement for self-service storage.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: “C-3NA” General Commercial Nonalcoholic Sales districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: “MXD” The Mixed-Use District provides a concentrated mix of residential retail, service, and office uses.

**FISCAL IMPACT:**

None.

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

Subject property is not located in or within ½ a mile from a Regional Center but is located within ½ a mile from the Far West Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 West/Southwest Sector Plan and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “MXD” Mixed Use District with maximum density of fifty (50) dwelling units per acre is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Mixed Use Center”. 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.
3. **Suitability as Presently Zoned:** The existing “C-3NA” General Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The requested “MXD” Mixed Use District with maximum density of fifty (50) dwelling units per acre is also appropriate for the property and surrounding area. The proposal for fifty dwelling units per acre is consistent with the residential development in the area. The request for the “MXD” mixed-use district with additional uses permitted in ‘C-2” Commercial District and “I-1” General Industrial District align with the surrounding zoning of the area. Additionally, the request for residential development is in alignment with the goals and objectives of the Strategic Housing Implementation Plan for diverse housing options for all income levels to address the growing housing needs of the city.
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.

**Goal HOU-1** - Housing stock is diverse, and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan

- HOU-1.2: Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood

**Goal ED-2** - Existing and planned future corridors and accessible, pedestrian commercial nodes contain strong, vibrant business activities with a mix of uses and employment opportunities

- ED-2.3 Design commercial nodes as town centers to promote the mix of activities for live, work, and play
- ED-2.4 Consider rezoning corridors and nodes to permit the mix of uses

- 6. Size of Tract:** The 10.058 acre site is of sufficient size to accommodate the proposed mixed-use development of 50 dwelling units per acre and commercial and general industrial uses.
- 7. Other Factors:** The subject property is located within the Lackland AFB 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.

The property is proposed for development of multifamily uses that shall not exceed 50 units per acre. At 10.58 acres, there could potentially be development of 500 units.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates the residential and commercial uses. The applicant is proposing 250 dwelling units with commercial and industrial uses for self-storage.