City of San Antonio

Legislation Details (With Text)

File #:	19-2522
Type:	Zoning Case
In control:	City Council A Session
On agenda:	8/22/2019
Title:	ZONING CASE Z-2019-10700014 (Council District 4): Ordinance amending the Zoning District Boundary from "MI-1 S MLOD-2 MLR-2 AHOD" Mixed Light Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Specific Use Authorization for a Fairground and/or Stadium and "MI-1 MLOD-2 MLR-2 AHOD" Mixed Light Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 122.092 acres, "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 3.527 acres and "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 9.473 acres, on 135.092 acres out of CB 4301, located at 11893 Fischer Road. Staff and Zoning Commissison recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600002)
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Z2019-10700014 Single-Family FNs, 5. Z2019-10700014 Multi-Family FNs, 6. Z2019-10700014 Commercial FNs, 7. Ordinance 2019-08-22-0681

Date	Ver.	Action By	Action	Result
8/22/2019	1	City Council A Session	Motion to Approve	Pass

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 4

SUBJECT:
Zoning Case Z-2019-10700014
(Associated Plan Amendment PA-2019-11600002)

SUMMARY:
Current Zoning: "MI-1 S MLOD-2 MLR-2 AHOD" Mixed Light Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Specific Use Authorization for a Fairground and/or Stadium and "MI-1 MLOD-2 MLR-2 AHOD" Mixed Light Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 122.092 acres, "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard

Overlay District on 3.527 acres and "MF-33 MLOD-2 MLR-2 AHOD" Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 9.473 acres.

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: March 5, 2019

Case Manager: Michael Pepe, Planner

Property Owner: Fischer Road Investments LLC

Applicant: Tibor Ritter

Representative: Brown & Ortiz, P.C.

Location: 11893 Fischer Road

Legal Description: 135.092 acres out of CB 4301

Total Acreage: 135.092

Notices Mailed
Owners of Property within 200 feet: 20
Registered Neighborhood Associations within 200 feet: None.
Applicable Agencies: Texas Department of Transportation, Lackland Airforce Base
Property Details
Property History: The subject property was annexed into the City of San Antonio by Ordinance 2008-02-07-0102, dated March 1, 2008. The subject property was zoned to "MI-l S" Mixed Light Industrial District with a Specific Use Authorization for a Fairground and/or Stadium and "MI-l" Mixed Light Industrial District by Ordinance 2014-01-09-0006, dated January 9, 2014.

Topography: The property is not located within the 100-year flood plain.

Adjacent Base Zoning and Land Uses
Direction: North
Current Base Zoning: "I-1"
Current Land Uses: Restaurant, Travel Stop, Vacant

Direction: East
Current Base Zoning: "C-3"
Current Land Uses: Gas Station, Mote, and Mechanic Shop

Direction: South
Current Base Zoning: "NP-8"
Current Land Uses: Residential Dwellings

Direction: West
Current Base Zoning: "L"
Current Land Uses: Residential Dwellings

Overlay and Special District Information:
"AHOD"
All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

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

Transportation
Thoroughfare: IH-35
Existing Character: Freeway
Proposed Changes: None Known
Public Transit: VIA bus routes are not within walking distance of the subject property. Routes served: NA.

Thoroughfare: Fischer Road
Existing Character: Local
Proposed Changes: None Known
Public Transit: VIA bus routes are not within walking distance of the subject property.
Routes Served: NA

Traffic Impact: A Traffic Impact Analysis (TIA) cannot be determined at this time.

Parking Information: The minimum parking requirements for a multi-family development is 1.5 spaces per unit. The minimum parking requirements for a single-family dwelling is 1 space per unit. The minimum parking requirements requirement for commercial uses will depend on the specific type of development.

ISSUE:
None.

ALTERNATIVES:
A denial of the request will result in the subject property retaining the current base zoning district of "M-1". The mixed light industrial district "MI-1" is established to encourage the development of mixed agricultural, commercial and light industrial 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.

FISCAL IMPACT:
None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:
The property is not located within a Regional Center or half a mile of a Premium Transit Corridor

Staff Analysis and Recommendation: Staff and Zoning Commission (10-0) recommend Approval, pending Plan Amendment.

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

1. Consistency:
The property is located within the Heritage South Sector Plan, and is currently designated as "Specialized Center" and "Agribusiness/RIMSE Tier" in the future land use component of the plan. The requested "MF-33", "R-4" and "C-3" base zoning is not compatible with the future land use designation. The applicant is requesting a Plan Amendment from "Specialized Center" and "Agribusiness/RIMSE Tier" to "General Urban Tier" and "Regional Center" to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval of the Plan Amendment.

2. Adverse Impacts on Neighboring Lands:
Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested "C-3", "MF-33" and "R-4" base zoning districts are a downzoning of the current "MI-1" zoning district and will have less adverse impact on neighboring lands.

3. Suitability as Presently Zoned:
The current "MI-1" Mixed Light Industrial district is appropriate for the subject property's location, but the proposed zoning and uses are more suitable.

4. Health, Safety and Welfare:
Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

5. Public Policy:
The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the Heritage South Sector Plan

Heritage South Sector Plan Relevant Goals and Objectives:

- Goal HOU-1: An array of housing choices throughout the area with an appropriate mix of densities and housing types
    - HOU-1.1: Encourage a mix of housing types, including multi-family homes, custom homes, garden homes, and single-family detached homes to provide "life cycle" housing options (ranging from college students, young adults, families, and retired/ senior) within the area
    - HOU-1.2: Encourage higher-density housing at strategic nodes
- Goal LU-1: Land uses that are compatible with neighboring properties that preserve natural and cultural resources, neighborhood character, and economic viability
- Goal LU-3: Urban, commercial, and rural development are concentrated in strategic areas supported by targeted public and private investments

6. Size of Tract:

The subject property totals 135.092 acres in size, which reasonably accommodate single-family, commercial, and multi-family 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, JBSA was notified of the proposed request.

This zoning request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any

property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.