



# City of San Antonio

## Agenda Memorandum

**File Number:**19-3576

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**Agenda Item Number:** 1.

**Agenda Date:** 5/7/2019

**In Control:** Zoning Commission

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**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:** May 7, 2019. This case is continued from the March 5, 2019, March 19, 2019 and April 2, 2019 zoning hearings.

**Case Manager:** Sara Serra, 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-1 S" Mixed Light Industrial District with a Specific Use Authorization for a Fairground and/or Stadium and "MI-1" 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 recommends 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, JB SA was notified of the proposed request.