



City of San Antonio

Agenda Memorandum

File Number:20-6965

Agenda Item Number: 6.

Agenda Date: 12/1/2020

In Control: Zoning Commission

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett A. White, AICP

COUNCIL DISTRICTS IMPACTED: 4

SUBJECT:

Zoning Case Z2020-10700244

SUMMARY:

Current Zoning: Outside of City Limits

Requested Zoning: Applying zoning overlay districts "AHOD" Airport Hazard Overlay District, "MLOD-2" Lackland Military Lighting Overlay District and "MLR-2" Lackland Military Lighting Region-2 as applicable and "DR" Development Reserve District on P-29C, CB 4204.

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 1, 2020

Case Manager: Jennifer Sheppard, Senior Planner

Property Owner: Oscar De Los Santos

Applicant: City of San Antonio Planning Department

Representative: Jennifer Sheppard, Senior Planner

Location: Property generally bound by Southwest Loop 410 to the north, Corpus Christi and Old Corpus Christi Highway to the east, South Loop 1604 and IH-37 South to the south and Somerset Road to the west, currently located Outside the City Limits.

Legal Description: P-29C, CB 4204 save and except those areas currently within the City of San Antonio.

Total Acreage: 10.0

Notices Mailed

Owners of Property within 200 feet: 11

Registered Neighborhood Associations within 200 feet: NA

Applicable Agencies: Lackland Air Force Base

Property Details

Property History:

The City of San Antonio (City) initiated Limited Purpose Annexation of the south side area in 2014, and then completed Full Purpose Annexation of the area in 2016. As part of both annexation processes, Texas Local Government Code (LGC) requires that the City offer Development Agreements to properties that had the applicable appraisal for ad valorem tax purposes as land for agricultural or wildlife management use or as timber land ("agricultural") as designated by the Bexar Appraisal District (BCAD). These Agreements allowed the continued agricultural use and guaranteed the extraterritorial status for the properties so long as the property owner(s) continued the use as described in the terms of the Agreement. The subject property owner has violated the terms of the Development Agreements, which has caused them to be voided. As such, the City has initiated Full Purpose Annexation proceedings.

Topography: The property does not include any abnormal physical features such as slope or incursion in a flood plain.

Adjacent Base Zoning and Land Uses

Current Surrounding Base Zoning: There are multiple "RE" Residential Estate Districts surrounding the subject property, and additionally, some properties are directly adjacent to the San Antonio city limits, where no zoning district currently resides.

Current Surrounding Land Uses: There are a variety of land uses surrounding the subject properties including agricultural, industrial, residential, as well as undeveloped land.

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 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.

Transportation

Thoroughfare: S.W. Loop 410

Existing Character: Freeway

Proposed Changes: None known

Thoroughfare: Somerset Road

Existing Character: Secondary Arterial "Type A"

Proposed Changes: None known

Public Transit: VIA Metropolitan Transit does not provide service within walking distance.

Traffic Impact: A Traffic Impact Analysis (TIA) analysis is not required.

Parking Information: NA

ISSUE:

None.

ALTERNATIVES:

A denial of the rezoning case would result in newly annexed property to be located within the city limits without a zoning district.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or along a Premium Transit Corridor. This property is located within the proposed SA Tomorrow Far Southwest Community Plan area.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

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

1. Consistency:

The subject property is currently subject to the Heritage South Sector Plan. The Planning Department staff is recommending the “DR” Development Reserve District for the subject property and the “DR” zoning district is consistent with the Heritage South Sector Plan. Pursuant to Section 35-352(a) of the Unified Development Code, the purpose of the "DR" Development Reserve District is to provide a temporary zoning classification for newly annexed property. The UDC states that the City will rezone the property to an appropriate zoning district as soon as practicable. This provides Planning Department staff with an opportunity to address land use and zoning for the sites once the future SA Tomorrow Community Area plans have been completed. The property is located within the proposed SA Tomorrow Far Southwest Community Plan area.

2. Adverse Impacts on Neighboring Lands:

The proposed “DR” is a temporary zoning district that permits uses in the “R-6” zoning district.

3. Suitability as Presently Zoned:

The proposed “DR” Districts is an appropriate zoning designation for the subject property and surrounding area.

4. Health, Safety and Welfare:

The “DR” zoning district is a temporary designation that will be addressed to comply with surrounding development in the SA Tomorrow Far Southwest Community Plan area. Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

5. Public Policy:

The proposed zoning implements the City’s goals, principles, and objectives of the adopted Heritage South Sector Plan:

Heritage South Sector Plan Goals and Objectives:

COM-4.1 Encourage code compliance and enforcement services within incorporated and unincorporated areas of Bexar County.

NR-1.4 Promote Low Impact Development (LID) standards to reduce the impact of urban development on rivers, watersheds and other natural assets.

LU-5.3 Preserve as much as 25% of the developable land to maintain the area’s rural character and retain agricultural practices.

6. Size of Tract:

The subject property is approximately 10.00 acres.

7. Other Factors:

None