



City of San Antonio

Agenda Memorandum

Agenda Date: October 17, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:

ZONING CASE Z-2023-10700242
(Associated Plan Amendment PA-2023-11600065)

SUMMARY:

Current Zoning: "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

Requested Zoning: "L MLOD-2 MLR-2 AHOD" Light Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: October 17, 2023. This case was continued from October 3, 2023.

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Clara L Shovlin

Applicant: IDV Development Services, LLC

Representative: Ortiz McKnight, PLLC

Location: 11130 South Interstate Highway 35

Legal Description: 44.988 acres out of NCB 14569

Total Acreage: 44.988 acres

Notices Mailed

Owners of Property within 200 feet: 21

Registered Neighborhood Associations within 200 feet: No registered Neighborhood Association within 200 feet.

Applicable Agencies: Lackland Air Force Base, Planning Department, Texas Department of Transportation

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 2008-02-07-0102, dated February 6, 2008, and zoned "UD" Urban Development District. The property was rezoned by Ordinance 2014-08-07-0557, dated August 7, 2014, to "C-3" General Commercial District.

Code & Permitting Details:

There is no code enforcement or permitting history for the subject property.

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-3"

Current Land Uses: Auto Sales

Direction: East

Current Base Zoning: "OCL"

Current Land Uses: Vacant

Direction: South

Current Base Zoning: "NP-8"

Current Land Uses: Single-Family Residential

Direction: West

Current Base Zoning: "C-3 CD" for Truck Stop or Laundry – Tire Repair permitted

Current Land Uses: Gas Station, Motel, Tire Shop, Truck Repair Shop

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:

None.

Transportation

Thoroughfare: Interstate Highway 35

Existing Character: Interstate

Proposed Changes: None Known

Thoroughfare: Fischer Road

Existing Character: Local

Proposed Changes: None Known

Public Transit: There is no public transit within walking distance of the subject property.

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for a warehouse is 1 per 5,000 sf GFA. The maximum parking requirement for a warehouse is 1 per 350 sf GFA.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "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: "L" Light Industrial District provides for a mix of light manufacturing uses, office park, flex-space with limited retail and service uses that serve the industrial development in the zone. Examples of permitted uses: auto sales & repair, wrecker services, cabinet/carpenter shop, can recycle collection station (no shredding), lumber yard and building materials, mobile vending base operations, machine shop, equipment & event rentals, tree service, moving company.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is located within the Far Southwest Regional Center but is not located within a half mile of any Premium Transit Corridor

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial with an Alternate Recommendation of “C-3 CD” General Commercial District with a Conditional Use for Warehousing.

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 Heritage South Sector Plan, adopted September 2010, and is currently designated as “Regional Center” and “General Urban Tier” in the future land use component of the plan. The requested “L” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to "Agribusiness/RIMSE". Staff Recommends Denial with an Alternate Recommendation to “Regional Center”. The Planning Commission recommendation is pending the October 11, 2023 hearing.
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-3” General Commercial District is an appropriate zoning for the property and surrounding area. The proposed “L” Light Industrial is not appropriate. The requested “L” Light Industrial District is out of character with abutting properties that sit to the east of IH-35 South. There is existing industrial zoning and uses to the west of the interstate, but this proposal would allow industrial encroachment into the typical commercial block. Therefore, Staff recommends an Alternate Recommendation of “C-3 CD” General Commercial District with a Conditional Use for Warehousing. This will allow development of a warehouse while maintaining the base zoning district to align with abutting properties and the land use.
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 appear to conflict with any public policy objective. Relevant Goals and Policies of the Comprehensive Plan may include:
 - Goal 1: Employment is focused in the city’s 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio’s residents and businesses.Relevant Goals and Strategies of the Heritage South Sector Plan may include:
 - LU-1 Land uses that are compatible with neighboring properties that preserve natural and cultural resources, neighborhood character, and economic viability.

- LU-3 Urban, commercial, and rural development are concentrated in strategic areas supported by targeted public and private investments.

- 6. Size of Tract:** The 44.988-acre site is of sufficient size to accommodate the proposed industrial development.
- 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. The Military has indicated that there are no objections to this request.