

**DEPARTMENT:** Planning Department

**DEPARTMENT HEAD:** Bridgett A. White, AICP

**COUNCIL DISTRICTS IMPACTED:** Council Districts 3 and 4

**SUBJECT:**

Zoning Case Z2024-10700109

**SUMMARY:**

**Current Zoning:** The rezoning area includes the following existing base zoning districts:

- “RP” Resource Protection District (183 properties)
- “R-20” Residential Single-Family District (1 property)
- “R-6”, “R-6 PUD”, “R-5”, “R-5 PUD”, “R-4” Residential Single-Family Districts and Planned Unit Development Districts (2,286 properties)
- “MF-18” Limited Density Multi-Family District (1 property)
- “O-1.5” Mid-Rise Office District (2 properties)
- “C-2”, “C-2 NA” Commercial District (9 properties)
- “L” Light Industrial District (2 properties)
- “I-1” General Industrial District (1 property)
- “I-2” Heavy Industrial District (8 properties)
- “UD” Urban Development District (5 properties)
- “FR” Farm and Ranch District (96 properties)
- “MI-1” Mixed Light Industrial District (173 properties)
- “MI-2” Heavy Industrial District (27 properties)
- “MXD” Mixed-Use District (2 properties)
- “BP” Business Park District (35 properties)
- “DR” Development Reserve District (2 property)
- “NP-10”, “NP-8” Neighborhood Preservation Districts (7 properties)
- “FBZD” Form Based Zoning Development District (1 property)
- “UZROW” Unzoned Right-of-Way (9 properties that have property IDs and ownership information per the Bexar County Appraisal District)

Some of the subject properties are split-zoned with multiple base zoning districts and/or OCL.

**Requested Zoning:** Adding the "ICOD-1" Industrial Compatibility Overlay District-1 to the existing base and overlay zoning districts.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** July 16, 2024. This case was continued from May 21, 2024.

**Case Manager:** Zenon Solis, Planning Manager

**Property Owner:** Multiple Property Owners

**Applicant:** City of San Antonio Planning Department

**Representative:** Zenon Solis, Planning Manager

**Location:** “ICOD-1” encompasses:

- the property identified as Bexar County Appraisal District Property ID 986344 / Geographic ID 04297-202-0010 (which is generally located on the south side of San Antonio between Leon Creek to the north, Pleasanton Road to the east, Medina River to the south, and Applewhite Road to the west and is further described as Lot 1, Block 2, CB 4297B of the TMMTX Subdivision recorded in Volume 9562 Pages 27-39 of the Deed and Plat Records of Bexar County, Texas, Save and Except those portions conveyed to the City of San Antonio under Special Warranty Deeds recorded in Volume 13276 Page 133 and Volume 13276 Page 156 of the Deed and Plat Records of Bexar County, Texas), and
- all properties within the two-mile area extending from the boundaries of BCAD Property ID 986344 / Geographic ID 04297-202-0010 that are also located within the San Antonio city limits.

“ICOD-1” is comprised of two separate zones:

- **Zone A** includes BCAD Property ID 986344 / Geographic ID 04297-202-0010 and extends for one mile from the boundaries of that property.
- **Zone B** begins at the outermost boundary of Zone A and extends for one mile, ending at two miles from the boundary of BCAD Property ID 986344 / Geographic ID 04297-202-0010.

**Legal Description:** 2,843 individual properties, including Bexar County Appraisal District Property ID 986344 / Geographic ID 04297-202-0010 (which is generally located on the south side of San Antonio between Leon Creek to the north, Pleasanton Road to the east, Medina River to the south, and Applewhite Road to the west and is further described as Lot 1, Block 2, CB 4297B of the TMMTX Subdivision recorded in Volume 9562 Pages 27-39 of the Deed and Plat Records of Bexar County, Texas, Save and Except those portions conveyed to the City of San Antonio under Special Warranty Deeds recorded in Volume 13276 Page 133 and Volume 13276 Page 156 of the Deed and Plat Records of Bexar County, Texas) and all properties within the two-mile area extending from the boundaries of BCAD Property ID 986344 / Geographic ID 04297-202-0010 that are also located within the San Antonio city limits.

**Total Acreage:** Approximately 19,775 acres

#### **Notifications**

**Notices Mailed (total):** 13,364

- **Notices Mailed to Subject Property Owners:** 2,988
- **Notices Mailed to Property Owners within 200 feet:** 188

- **Notices Mailed to Occupants (per Texas Local Government Code Sec. 211.006):** 10,188

**Registered Neighborhood and Community Associations:** None

**Applicable Agencies:** None

### **Property Details**

**Property History:** Annexation of the subject properties began in 1987 and 1988 with the annexation of the Mitchell Lake and Southside Municipal Golf Course (now Mission Del Lago) areas. Much of the area was annexed for full purpose in 2006 and 2016. The remaining subject properties were voluntarily annexed between 2017 and 2024, many resulting from the expiration of previous development agreements.

**Topography:** The subject area does not contain any unusual physical features, such as significant slope. Properties along the area's rivers, creeks, and lakes are partially located within the 100-year floodplain. The rezoning area is within the Medina River Watershed and the Leon Creek Watershed.

### **Adjacent Base Zoning and Land Uses**

**Current Surrounding Base Zoning:** The surrounding areas include similar range of base zoning districts as the subject property, including resource protection, single-family residential, multi-family, commercial, mixed-use, form based, agricultural, and industrial. Many properties to the east and south are located outside the of the city.

**Current Surrounding Land Uses:** There are a variety of land uses including single-family residential, multi-family residential, commercial, agricultural, industrial, and government/educational uses, as well as undeveloped land.

**Overlay District Information:** Portions of the area are within the "AHOD" Airport Hazard Overlay District and "MLOD-2" Military Lighting Overlay District. Two properties in the area are designated "HE" Individual Historic Landmarks (City-owned property that is a portion of the Medina River Natural Area and Land Heritage Institute property along the Medina River). The area includes portions of the Verano/Southstar Community TIRZ # 28 and the Mission Del Lago TIRZ #6.

**Special District Information:** None.

### **Transportation**

**Thoroughfares:** The subject area includes multiple major thoroughfares, as well as many local streets; no changes are proposed to any roadway related to this rezoning request. Major roadways in the area include US Highway 281, FM 2537, Pleasanton Road, Loop 1604, Applewhite Road, Lone Star Pass, State Highway 16 (Poteet Jourdanton Freeway).

**Public Transit:** There are no transit routes located within the subject area.

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

**Parking Information:** NA

**Proximity To Regional Center/Premium Transit Corridor:**

The bulk of the subject properties are located within the Texas A&M-San Antonio Area Regional Center. The eastern and western-most subject properties are located within the South Community Area and the Far Southwest Community Area.

**ISSUE:**

The City of San Antonio is proposing to rezone properties that are located within two miles of an existing heavy industrial use to limit potential health, safety, and welfare conflicts between heavy industrial uses and surrounding commercial and residential uses.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject properties retaining the current base and overlay zoning districts without the “ICOD-1” Industrial Compatibility Overlay District.

**FISCAL IMPACT:**

The applicant is the City of San Antonio. No zoning fees are required.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends continuance of 90 days to the October 15, 2024 meeting.

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

**1. Consistency:**

The subject area is located within the Heritage South Sector Plan and the ongoing SA Tomorrow Texas A&M-San Antonio Area Regional Center Plan. The proposed zoning overlay district does not require a land use consistency because the base zoning of the subject properties is not changing.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this proposed rezoning.

**3. Suitability as Presently Zoned:**

The application of the Industrial Compatibility Overlay creates added protections for less-intense commercial and residential uses while protecting the economic viability of heavy industrial uses. “ICOD-1” includes specific exceptions for existing residences, platted undeveloped lots, undeveloped unplatted lots with existing residential zoning, and nonconforming uses. The “ICOD-1” also includes a provision allowing undeveloped unplatted lots with existing zoning that allows residential uses to preserve the right to establish residential uses through a registration process.

**4. Health, Safety and Welfare:**

The Industrial Compatibility Overlay District would establish regulations to limit the encroachment of residential and commercial uses into established heavy industrial areas. Heavy industrial uses are more likely to include potentially hazardous components and to generate high volumes of freight traffic. A purposeful and orderly transition of uses surrounding heavy industrial areas offers multiple levels of protection:

- Protecting the economic viability of important industry by limiting uses that could interfere with the operation of existing or planned heavy industrial uses; and
- Creating safeguards for less-intense commercial and residential uses that are needed to support the city's workforce, residents, and visitors by minimizing the potential negative impacts of the operations of heavy industrial uses.

#### **5. Public Policy:**

Upon adoption of the SA Tomorrow Comprehensive Plan, City Council directed staff to implement the plan "to coordinate and guide establishment of development regulations for the long-range development of the City that will promote the public health, safety and welfare for all current and future residents of the City of San Antonio." The establishment of an overlay district "to ensure appropriate transitions between future development and heavy industrial areas" was identified an implementation priority during the planning process for the Texas A&M-San Antonio Area Regional Center.

#### **6. Size of Tract:**

The subject area is approximately 19,775 acres.

#### **7. Other Factors:**

The Planning Department hosted two informational Open Houses in April 2024 to inform property owners and owners of property within 200 feet. Mailed notice of the zoning change and Zoning Commission Public Hearing were mailed to all subject property owners, all owners of property within 200 feet of a subject property, as well as to every address on mail routes that include a subject property. Spanish translation was provided at the Open Houses, and legal notices also included Spanish translation.