



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 5, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2022-10700029

**SUMMARY:**

**Current Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Requested Zoning:** "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 15, 2022

**Case Manager:** Summer McCann, Planner

**Property Owner:** FLG Preserve, LLC

**Applicant:** FLG Preserve, LLC

**Representative:** Brown & Ortiz, PC

**Location:** 15895 South State Highway 16

**Legal Description:** 34.506 acres out of NCB 4296 and NCB 4297

**Total Acreage:** 34.506 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 82

**Registered Neighborhood Associations within 200 feet:** None.  
**Applicable Agencies:** None.

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 200802070102, dated February 6, 2008 and zoned "RD" Rural Development District. The property was rezoned to "C-2" Commercial District by Ordinance 2017-04-20-0279, dated February 16, 2007.

**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:** "BP"

**Current Land Uses:** Vacant Land

**Direction:** South

**Current Base Zoning:** "C-2"

**Current Land Uses:** Vacant Land

**Direction:** East

**Current Base Zoning:** "C-2", "MI-1"

**Current Land Uses:** Vacant Land, Batchling Plant

**Direction:** West

**Current Base Zoning:** "R-5"

**Current Land Uses:** Single-Family Dwellings

**Overlay District Information:** 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:** State Highway 16

**Existing Character:** Super Arterial Type B

**Proposed Changes:** None known

**Thoroughfare:** Watson Road

**Existing Character:** Enhanced Secondary Arterial

**Proposed Changes:** None known

**Public Transit:** There are no VIA bus routes within walking distance of the subject property.

**Traffic Impact:** Preliminary Review Only– Detailed technical review and compliance with the UDC code will be conducted at time of platting and/or permitting. The purpose of this TIA Threshold Worksheet review is solely to determine if a TIA study is required based on the preliminary information provided at time of this review. Turn lanes as part the TIA Threshold Worksheet will be assessed once more detail technical information is provided at the time of platting and/or permitting. A TIA study may be required based on the information provided at time of platting and/or permitting.

**\*\*The traffic generated by the proposed development has increase it does exceed the threshold requirements. Development generates more than seventy-six (76) PHT Sec. 35-502\*\***

TIA Report will be required.

**Parking Information:** The minimum parking requirement for a 1 Family Dwelling is 1 per unit.

**ISSUE:** None.

**ALTERNATIVES:**

**Current Zoning:** “C-2” Commercial districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed Zoning:** “R-5” Residential Single-family dwelling (detached) with a minimum lot size of 5,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

**FISCAL IMPACT:** None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located with a Regional Center or Premium Transit Corridor

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial. Zoning Commission 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 located within the Heritage South Sector Plan and is currently designated as “Suburban Tier” in the future land use component of the plan. The requested “R-5” base zoning district is consistent with the future land use designation.

**2. Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.

**3. Suitability as Presently Zoned:** The existing “C-2” Commercial District is an appropriate zoning for the property and surrounding area. The requested “R-5” Residential Single-Family is not an appropriate zoning for the property and surrounding area. As a basic planning principle, residential uses are not commonly located in close proximity to industrial uses. Additionally, the existing “C-2” Commercial District was purposefully zoned for development along Poteet Jourdanon Highway to provide goods and services to existing and surrounding uses.

**4. Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:** The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the Heritage South Sector Plan.

**Relevant Goals, Recommendations and Strategies of the Heritage South Sector Plan may include:**

- Goal ED-4 Heritage South established as a viable agricultural region
- Goal LU-1 Land uses that are compatible with neighboring properties that preserve natural and cultural resources, neighborhood character, and economic viability
  - LU-1.1 Promote preservation of natural and historic resources (e.g. Mitchell Lake Audubon Center and Wildlife Refuge Center) through conservation easements and strategic land acquisitions where appropriate
  - LU-1.3 Promote nodal commercial development and community centers where various modes of transportation are accessible

**6. Size of Tract:** The 34.506 acre site is of sufficient size to accommodate the proposed residential development.

**7. Other Factors:** The applicant seeks to rezone the property to develop approximately 164 single-family dwellings.