



City of San Antonio

Agenda Memorandum

Agenda Date: April 20, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 3

SUBJECT:
ZONING CASE Z-2023-10700030

SUMMARY:

Current Zoning: "MI-1 AHOD" Mixed Industrial Airport Hazard Overlay District

Requested Zoning: "FR S AHOD" Farm and Ranch Airport Hazard Overlay District with a Specific Use Authorization for a Cemetery

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 21, 2023

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Vohra Properties LLC

Applicant: Vohra Properties LLC

Representative: Patrick Christensen, PC

Location: Generally located in the 19000 block of Applewhite Road

Legal Description: 9.6 acres out of CB 4013

Total Acreage: 9.6 acres

Notices Mailed**Owners of Property within 200 feet:** 9**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Planning Department**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 99352, dated July 31, 2004, and zoned "DR" Development Reserve District and "FR" Farm and Ranch District. The property was rezoned by Ordinance 99978, dated November 18, 2004, to "MI-1" Mixed Light Industrial District.

Topography: A portion of subject property is located within the 100 Year Flood Plain.

Adjacent Base Zoning and Land Uses**Direction:** North**Current Base Zoning:** "RP"**Current Land Uses:** Vacant**Direction:** East**Current Base Zoning:** "RP"**Current Land Uses:** Vacant**Direction:** South**Current Base Zoning:** "BP"**Current Land Uses:** Vacant**Direction:** West**Current Base Zoning:** "UD"**Current Land Uses:** Vacant**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:** Applewhite Road**Existing Character:** Enhanced Secondary Arterial**Proposed Changes:** None Known

Thoroughfare: Neal Road

Existing Character: None

Proposed Changes: None Known

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

Traffic Impact: **The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is not required.

Parking Information: There are no parking requirements for a Cemetery.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "MI-1" Mixed Industrial District encourages 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.

Proposed Zoning: "FR" Farm and Ranch District preserves rural character and culture by implementing larger minimum lot sizes and by prohibiting incompatible land uses and providing areas for agricultural operations and natural resource industries.

The "S" Specific Use Authorization allows for a Cemetery.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located in the Texas A&M – San Antonio Regional Center but is not located within ½ a mile from a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval.

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 and is currently designated as "Agribusiness RIMSE Tier" in the future land use component of the plan. The requested "FR" base zoning district is consistent with the future land use designation.
- 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. Surrounding properties are zoned “RP” Resource Protection District, “UD” Urban Development District, and “BP” Business Park District.

3. **Suitability as Presently Zoned:** The existing “MI-1” Mixed Light Industrial District is an appropriate zoning for the property and surrounding area. The proposed “FR S” Farm and Ranch District Specific Use Authorization for a Cemetery is also appropriate for the property. The proposed "FR S" promotes development on a vacant lot in an underdeveloped area. The subject property is sized and placed appropriately to accommodate the uses in an “FR” base zoning district, and the Specific Use Authorization will permit the Cemetery, and hold the applicant to a prescribed their submitted site plan.
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 not appear to conflict with any public policy objectives of the Heritage South Sector Plan and the SA Tomorrow Plan.

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

LU Goal 1: Land uses that are compatible with neighboring properties that preserve natural and cultural resources, neighborhood character, and economic viability.

Relevant Goals and Policies of the SA Tomorrow Plan may include:

JEC P33: Encourage the appropriate mixture of industries and uses within regional centers by identifying each center’s market strengths, and niches and uses that support these strengths.

NRES Goal 1: San Antonio protects the natural environment and ensures sustainable land use and development.

NRES Goal 2: San Antonio balances environmental goals with business and community needs.

6. **Size of Tract:** The 9.6 acre site is of sufficient size to accommodate the proposed development.
7. **Other Factors:** The applicant is rezoning to develop a cemetery.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.