



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** October 3, 2023

**In Control:** Zoning Commission Meeting

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**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 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:** Military, Planning Department, Texas Department of Transportation

### **Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 200802070102, dated February 6, 2008 and zoned "UD" Urban Development District. The property was rezoned by Ordinance 2014-08-07-0557, dated August 7, 2007 to "C-3" General Commercial District.

### **Code & Permitting Details**

ADD

**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:**

**Current Land Uses:** Auto Sales

**Direction:** East

**Current Base Zoning:**

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:**

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:**

**Current Land Uses:** Vacant

### **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 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:** The 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 Warehouse.

**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 “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”, pending Planning Commission recommendation.
- 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 [“zoning district”] [written out zoning description] District [is an appropriate or is not an appropriate] zoning for the property and surrounding area. 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.