



City of San Antonio

Agenda Memorandum

Agenda Date: May 2, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 4

SUBJECT:

ZONING CASE Z-2023-10700085

(Associated Plan Amendment PA-2023-11600021)

SUMMARY:

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

Requested Zoning: "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 2, 2023

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Medio/ Bailey Partners, Ltd.

Applicant: Scahffer Construction, LLC

Representative: Killen, Griffin, and Farrimond, PLLC

Location: Generally located in the 11200 block of Interstate Highway 35 South

Legal Description: 12.898 acres out of CB 4301

Total Acreage: 12.898 Acres

Notices Mailed

Owners of Property within 200 feet: 10

Registered Neighborhood Associations within 200 feet: NA

Applicable Agencies: Lackland Airforce Base, Texas Department of Transportation, Planning Department

Property Details

Property History: A portion of the subject property was annexed into the City of San Antonio by Ordinance 201401090001, dated January 8, 2014, and zoned as the current "C-3" General Commercial District. The remaining portion of the subject property was annexed into the City of San Antonio by Ordinance 201611100881, dated November 9, 2016, and was zoned as the current "RD" Rural Development District..

Topography: The property does not include any other abnormal physical features such as slope or incursion into the floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "I-1"

Current Land Uses: Factory

Direction: South

Current Base Zoning: "C-3" "UZROW"

Current Land Uses: Truck stop, Interstate 35

Direction: East

Current Base Zoning: "C-3"

Current Land Uses: Vacant, North Park Toyota

Direction: West

Current Base Zoning: "I-1"

Current Land Uses: Truck stop

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.

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.

Special District Information:

None.

Transportation

Thoroughfare: Interstate Highway 35 South

Existing Character: Interstate

Proposed Changes: None known

Thoroughfare: Fischer Road

Existing Character: Secondary Arterial A

Proposed Changes: None known

Public Transit: There are no VIA bus stops in proximity to the subject property.

Routes Served: NA

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: The minimum parking requirement for a convenience store with gasoline sales is 6 parking spaces per 1,000 square feet of gross floor area. The minimum parking requirement for a truck stop is 1 parking space per 500 square feet of gross floor area including service bays.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "RD" Rural Development District encourages the development of a land use pattern that reflects rural living characteristics by encouraging low density, single family residential land use patterns with limited commercial uses placed in a manner that conserves open land.

"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: "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.

“I-1” General Industrial District accommodates areas of heavy and concentrated fabrication and manufacturing and industrial uses which are suitable based on the character of adjacent development. Examples of permitted uses: auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center and is not within ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends 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 United Southwest Community Plan and is currently designated as “Regional Commercial” in the future land use component of the plan. The requested “C-3” base zoning district is consistent with the future land use designation. The requested “I-1” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Light Industrial” on the portion of the property that is requesting “I-1”. Staff recommends Approval. The Planning Commission recommendation is pending the April 26, 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. Surrounding properties are “I-1” General Industrial and “C-3” General Commercial.
3. **Suitability as Presently Zoned:** The current “RD” Rural Development District and “C-3” General Commercial District are appropriate zonings for the property and surrounding area. The proposed “C-3” General Commercial District and “I-1” Industrial District are also appropriate. The property abuts various industrial land uses which provide appropriate context for both the proposed zonings and the proposed land use. The location of the property along I-35 is also consistent with the intensity of the proposed use and provides adequate access.

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 United Southwest Community Plan:
 - Goal 1 – Economic Development - Attract new businesses, services, and retail establishments to the United Southwest Communities.
 - Objective 1.1: Commercial Development - Implement strategies to attract commercial development.
6. **Size of Tract:** The subject property is 12.898 Acres, which can reasonably accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to “C-3” and “I-1” to allow for the development of a convenience store with gasoline sales and large truck fueling lanes.

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation.