

**Whisper South EC (West of Harris Hill Rd)**

**2500 Blk N IH-35**

**ZC-21-14**



**Summary**

<b>Request:</b>	Zoning change from FD to EC		
<b>Applicant:</b>	Harris Hill Commercial Land Holdings, Ltd 100 NE Loop 410, Suite 775 San Antonio, Texas, 78216	<b>Property Owner:</b>	Harris Hill Commercial Land Holdings, Ltd 100 NE Loop 410, Suite 775 San Antonio, Texas, 78216

**Notification**

<b>Application:</b>	6/14/21	<b>Neighborhood Meeting:</b>	N/A
<b>Published:</b>	8/8/21	<b># of Participants</b>	N/A
<b>Posted:</b>	8/6/21	<b>Personal:</b>	8/6/21
<b>Response:</b>	None as of the date of this report		

**Property Description**

<b>Legal Description:</b>	Approximately 72.06 acres, more or less, out of the J. Veramendi Survey, Abstract 17, Hays County, Texas, generally located on the western side of Harris Hill Road between Harris Hill Rd and Interstate-35		
<b>Location:</b>	To the north of the intersection of Harris Hill Rd and Uhland Rd, between Harris Hill Road and the future FM 110.		
<b>Acreage:</b>	72.06 acres	<b>PDD/DA/Other:</b>	Whisper South PID 2021-87R
<b>Existing Zoning:</b>	FD (Future Development)	<b>Proposed Zoning:</b>	EC (Employment Center)
<b>Existing Use:</b>	Undeveloped	<b>Proposed Use:</b>	Commercial
<b>Existing Occupancy:</b>	N/A	<b>Occupancy:</b>	Restrictions Do Not Apply
<b>Preferred Scenario:</b>	Medium Intensity (Whisper South)	<b>Proposed Designation:</b>	Same
<b>CONA Neighborhood:</b>	N/A	<b>Sector:</b>	N/A
<b>Utility Capacity:</b>	Extension Required at Developer's Expense	<b>Floodplain:</b>	Partial
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey</b>	No

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<u>Surrounding Area</u>	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	MH ( Manufactured Home)	Residential – MH Rental Community	Low Intensity Zone
<b>South of Property:</b>	FD (Future Development)/ CC(Community Commercial) and PD (Public and Institutional PDD - Blanco Shoals)	Undeveloped/ Commercial	Medium Intensity Zone w/ Open Space
<b>East of Property:</b>	FD (Future Development)	Undeveloped	Medium Intensity Zone
<b>West of Property:</b>	FD Future Development	Interstate-35	Low Intensity Zone

**Staff Recommendation**

<input checked="" type="checkbox"/>	<b>Approval as Submitted</b>	<input type="checkbox"/>	Alternate Approval	<input type="checkbox"/>	Denial
<b>Staff:</b> Julia Cleary		<b>Title :</b> Planner		<b>Date:</b> Aug 19 <sup>th</sup> , 2021	

**Commission Recommendation**

<input checked="" type="checkbox"/>	<b>Approval as Submitted</b>	<input type="checkbox"/>	Approval with Conditions / Alternate	<input type="checkbox"/>	Denial
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**Speakers in favor or opposed**

1. RW McDonald – applicant – in favor

**Recommendation from the Planning and Zoning Commission Meeting held August 24<sup>th</sup>, 2021.**

A motion was made by Commissioner Spell, second by Commissioner Costilla to recommend approval of the request.

The vote passed with a 9-0 vote.

**Discussion Topics:**

- **Buffers between proposed development and residential properties** – Commissioner Agnew enquired about the buffer/ setback requirements between the proposed EC zoning and the Saddlebrook Manufactured Home Rental Community to the north. Staff noted that there were Transitional Protective Yard requirements of at least 20 ft between EC and MH zoning districts for any future development, as set out in Chapter 7, Article 2 of the Development code)

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**History**

The site is located within the Whisper South Public Improvement District and accompanies additional zoning change applications for CD-3 (ZC-21-12), CD-4 (ZC-21-13) and Employment Center with associated multifamily (ZC-21-15). The Whisper South development is intended to reflect the original north Whisper Planned Development District (PDD) being built out to the north.

A Preliminary Plat application for infrastructure improvements set out in the PID ( including utilities, drainage and a new roadway connecting Harris Hill Rd and the I-35 frontage road) has been submitted by the applicant and is currently under review.

**Additional Analysis**

Please see additional analysis below.

**Comments from Other Departments**

<b>Police</b>	No Comment
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	No Comment

Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
		<u>X</u>	Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map <b><i>The site is shown as “Medium Intensity- Whisper South” in the Preferred Scenario map. Per Table 4.1 of the Development Code, Special Districts such as Employment Centers are “not preferred” in Medium Intensity zones.</i></b>
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area <b><i>No small area plans or neighborhood character study have been undertaken for this area.</i></b>
		<u>X</u>	Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council
		<u>X</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			<p>Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses shall be appropriate in the immediate area of the land to be reclassified</p> <p><b><i>Per Article 4 of the Land Development Code, EC zoning should be applied “along highway corridors that serve as entrances to downtown or other pedestrian oriented activity areas”. The proposed EC zoning will be located along Interstate-35 between the highway and the proposed CD-4 zoning to the east.</i></b></p>
<u>X</u>			<p>Whether the proposed zoning will reinforce the existing or planned character of the area</p> <p><b><i>Although currently rural/ undeveloped, the site is being developed comprehensively as part of a wider master planned community, including multifamily and commercial uses. The EC component was identified in the Concept Plan element of the approved Whisper Public Improvement District, and is within the Whisper South Medium Intensity Grown area on the Preferred Scenario Map.</i></b></p>
<u>X</u>			<p>Whether the site is appropriate for the development allowed in the proposed district</p>
<u>X</u>			<p>Whether there are substantial reasons why the property cannot be used according to the existing zoning</p> <p><b><i>The property currently designated as “Future Development” upon annexation. FD is intended as a transitory zoning only, with a minimum lot size of 2 acres.</i></b></p>
		<u>X</u>	<p>Whether there is a need for the proposed use at the proposed location</p>
<u>X</u>			<p>Whether the City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, public safety, and emergency services, while maintaining sufficient levels of service to existing development</p>

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			<i>Utility and internal roadway improvements are included in the approved Public Improvement District (PID) term sheets and a preliminary subdivision plat for these improvements is under review.</i>
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <b>Improvements to Harris Hill Rd will be required as part of the traffic impact analysis during the subdivision platting process.</b>
		<u>X</u>	For requests to a Neighborhood Density District, whether the proposed amendment complies with the compatibility of uses and density in Section 4.1.2.5 <b>This development is not located in a Neighborhood Density District.</b>
<u>X</u>			The impact the proposed amendment has with regard to the natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management <b>The site is predominantly rated as "2" ("least constrained") on the Land Use Suitability map.</b>
<u>X</u>			Any other factors which shall substantially affect the public health, safety, morals, or general welfare <b>None noted.</b>