



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-6373

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/5/2020

**Title:** ZONING CASE Z-2020-10700173 S ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "C-2 MLOD-1 MLR-2 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "C-2 S MLOD-1 MLR-2 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with Specific Use Authorization for a Wireless Communications System on 0.0367 acres out of CB 4552, located at 16821 Kyle Seale Parkway. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. SAWS Report, 3. Site Plan, 4. Zoning Minutes, 5. Draft Ordinance, 6. Metes and Bounds, 7. Ordinance 2020-11-05-0815

Date	Ver.	Action By	Action	Result
11/5/2020	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z-2020-10700173 S ERZD

**SUMMARY:**

**Current Zoning:** "C-2 MLOD-1 MLR-2 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District

**Requested Zoning:** "C-2 S MLOD-1 MLR-2 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with Specific Use Authorization for a Wireless Communications System

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 6, 2020

**Case Manager:** Michael Pepe, Planner

**Property Owner:** Strata Trust Company

**Applicant:** Verizon Wireless

**Representative:** Vincent Huebinger

**Location:** 16821 Kyle Seale Parkway

**Legal Description:** 0.0367 acres out of CB 4552

**Total Acreage:** 0.0367

**Notices Mailed**

**Owners of Property within 200 feet:** 6

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** San Antonio Water System, Camp Bullis

**Property Details**

**Property History:** The property was annexed in the City of San Antonio by Ordinance 2017-08-31-0624 dated August 31, 2017 and was originally zoned "C-2" Commercial District.

**Topography:** The property is on top of a large hill.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6"

**Current Land Uses:** Natural space

**Direction:** East

**Current Base Zoning:** "R-6"

**Current Land Uses:** Natural space

**Direction:** West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Natural space

**Direction:** South

**Current Base Zoning:** "R-6"

**Current Land Uses:** Natural space

**Overlay and Special District Information:**

"ERZD"

All surrounding properties carry the "ERZD" Edwards Recharge Zone District. The "ERZD" does restrict permitted uses, due to the environmentally sensitive nature of the recharge zone. Per Chapter 34 of the City of San Antonio Code of Ordinances, the San Antonio Water System (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the "ERZD".

"MLOD-1"

All surrounding properties carry the "MLOD-1" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD-1" 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.

### **Transportation**

**Thoroughfare:** Kyle Seale

**Existing Character:** Primary Arterial

**Proposed Changes:** None

**Public Transit:** There are no VIA bus routes within walking distance.

**Routes Served:** N/A

**Traffic Impact:** A Traffic Impact Analysis (TIA) cannot be determined at this time.

**Parking Information:** There is no parking requirement for a Wireless Communications System.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** C-2 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:** C-2 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.

The “S” Specific Use Authorization would allow the additional right of a Wireless Communication System.

### **FISCAL IMPACT:**

None.

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

The property is not within a regional center and nor is it within a premium transit corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend 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 North Sector Plan and is designated as “Suburban Tier” in the future land use plan. The requested “C-2 S” is consistent with the current 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 requested “C-2 S” maintains the base district and adds a Specific Use Authorization for consideration of a Wireless Communication System, in addition to the uses already permitted in “C-2” Commercial District.

**3. Suitability as Presently Zoned:**

The current “C-2” Commercial District is an appropriate zoning for the property on a large thoroughfare. The proposed “C-2 S” would also be appropriate and would allow for use of this high elevation site for communications infrastructure.

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the North Sector Plan:

ED-2.3 Support, stimulate, and foster increased activity of existing businesses within the North Sector including but not limited to finance, insurance, real estate, medical, cyber security, research and development.

**6. Size of Tract:**

The subject property is 0.0367 acres, which could reasonably accommodate requested use as wireless communication system

**7. Other Factors:**

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.

The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.