



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3605

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/4/2016

**Title:** ZONING CASE # Z2016128 S ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-2 MLOD ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-2 S MLOD ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with Specific Use Authorization for a Wireless Communication System on 0.076 acres out of NCB 16331, located at 239 North Loop 1604 West. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-128 LOCATION MAP, 2. Z2016128 Site Plan, 3. Z2016128 ERZD SAWS Report, 4. Minutes, 5. 16-3605 Z2016128 ERZD\_Draft Ordinance, 6. Ordinance 2016-08-04-0587

Date	Ver.	Action By	Action	Result
8/4/2016	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Zoning Case Z2016128 S ERZD

**SUMMARY:**

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

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 7, 2016

**Case Manager:** Shepard Beamon, Planner

**Property Owner:** Global Evangelism, Inc.

**Applicant:** K2 Towers, LLC

**Representative:** David Losoncy

**Location:** 239 North Loop 1604 West

**Legal Description:** 0.076 acres out of NCB 16331

**Total Acreage:** 0.076

**Notices Mailed**

**Owners of Property within 200 feet:** 9

**Registered Neighborhood Associations within 400 feet:** None

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

**Property Details**

**Property History:** The subject property was annexed into the City Limits on December 31, 1990 (Ordinance # 72639) and was originally zoned "Temporary R-1 ERZD" Single Family Residence Edwards Recharge Zone District. On April 4, 1991, the property was rezoned to "B-2" Business District (Ordinance # 73434). Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-2" Commercial District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C2

**Current Land Uses:** Cornerstone Church and School

**Direction:** East

**Current Base Zoning:** C-2, C-2 S

**Current Land Uses:** Retail Center, Hotel, Church

**Direction:** South

**Current Base Zoning:** C-2, C-3, C-3R

**Current Land Uses:** Texas Med-Clinic

**Direction:** West

**Current Base Zoning:** C-2, C-3

**Current Land Uses:** Retail Center

**Overlay and Special District Information:** 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.

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."

**Transportation**

**Thoroughfare:** North Loop 1604 West

**Existing Character:** Freeway

**Proposed Changes:** None known

**Public Transit:** VIA Bus Route 2 is located near the subject property.

**Traffic Impact:** Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Wireless Communication System - Minimum Vehicle Spaces: N/A. Maximum Vehicle Spaces: N/A.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning classification and would not allow the construction of a wireless communication tower.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 currently designated as Suburban Tier in the future land use component of the plan. The requested base district of "C-2" Commercial District is consistent with the adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use will be compatible with the surrounding land uses and overall character of the community. There is an existing tower 500 feet from the subject property that was constructed in 1997. The proposed 150' wireless tower will eventually replace the older 100' existing tower. The older tower will then be removed from the property.

**3. Suitability as Presently Zoned:**

The current "C-2" base zoning is compatible with the surrounding land uses and with the proposed use of wireless tower.

**4. Health, Safety and Welfare:**

Staff has found no evidence of likely adverse impacts on the health, safety, and welfare of the surrounding community, provided the SAWS recommendations are adhered to.

**5. Public Policy:**

The proposed use meets the goals of the Suburban Tier land use classification within the North Sector Plan to promote compatible land use pattern so that natural resources are preserved and the local economy remains viable.

**6. Size of Tract:**

The subject property measures 0.076 acres and is sufficient to accommodate the proposed wireless communication tower.

**7. Other Factors:**

Based on the information provided to SAWS staff, SAWS identifies the subject property as a Category 1 property. SAWS staff recommends approval of the zoning request, provided that the zoning change will not increase the impervious cover. Reference SAWS report dated May 3, 2016.

The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam and the City of San Antonio, the Military did not review the request because the property is less than 10 acres in size and does not directly abut the installation.

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 with may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The Specific Use Authorization in this case is a requirement of the Code for properties within the Edwards Recharge Zone District, which allows San Antonio Water System (SAWS) to examine the proposed use of the property and its conformity with SAWS requirements.