



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1921

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 3/7/2019

**Title:** ZONING CASE # Z-2018-900076 (Council District 10): Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "ED AHOD" Entertainment Airport Hazard Overlay District on 25.425 acres out of NCB 14945, generally located southeast of Thousand Oaks Drive and Wurzbach Parkway. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA2018-900024)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Zoning Minutes, 3. Draft Ordinance, 4. Field Notes, 5. Ordinance 2019-03-07-0208

Date	Ver.	Action By	Action	Result
3/7/2019	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z-2018-900076  
(Associated Plan Amendment PA2018-900024)

**SUMMARY:**

**Current Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Requested Zoning:** "ED AHOD" Entertainment District Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 5, 2019

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Beitel Creek, Ltd.

**Applicant:** Alamo Park Inc.

**Representative:** Brown & Ortiz, P.C.

**Location:** Generally located southeast of Thousand Oaks Drive and Wurzbach Parkway.

**Legal Description:** 25.425 acres out of NCB 14945

**Total Acreage:** 25.425

**Notices Mailed**

**Owners of Property within 200 feet:** 10

**Registered Neighborhood Associations within 200 feet:** Hills of Park North Neighborhood Association

**Applicable Agencies:** Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1970 and 1972 and was zoned "I-2" Heavy Industrial District by Ordinance 44911, dated February 13, 1975. The subject property was rezoned from "I-2" Heavy Industrial District to "C-3" General Commercial District by Ordinance 2007-12-06-1271, dated December 6, 2007.

**Topography:** The property is located within the 100-year flood plain

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Vacant

**Direction:** East

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

**Current Land Uses:** Vacant

**Direction:** South

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

**Current Land Uses:** Gas Station

**Direction:** West

**Current Base Zoning:** "C-3" and "ED"

**Current Land Uses:** Rehabilitation Center and Morgan's Wonderland

**Overlay and Special District Information:**

"AHOD"

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** Wurzbach Parkway

**Existing Character:** Super Arterial Type A

**Proposed Changes:** None Known

**Thoroughfare:** Thousand Oaks

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** There are no VIA routes within walking distance from the subject property.

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

**Parking Information:** Amusement and or Theme Park: Minimum- 1 per 600 sf outdoor recreation area.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. "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.

**FISCAL IMPACT:**

None.

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

The subject property is adjacent to the NE I-35 and Loop 410 Regional Center, but not within a Premium Transit Corridor.

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval, pending Plan Amendment.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The property is located within the North Sector Plan, and is currently designated as "Mixed Use Center" in the future land use component of the plan. The requested "ED" base zoning is not compatible with the future land use designation. The applicant is requesting a Plan Amendment from "Mixed Use Center" to "Civic Center" to accommodate the proposed rezoning. Staff recommends Approval of the Plan Amendment. The Planning Commission recommendation is pending the February 13, 2019 hearing.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is appropriate for the subject property’s location, however, the “ED” is consistent with the surrounding development.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

#### **5. Public Policy:**

The applicant is requesting the rezoning of the subject properties from C-3 AHOD to ED AHOD to allow for the extension of adjacent Entertainment District within the Longhorn Quarry. The subject properties are designated “Mixed Use” in the North Sector Future Land Use Plan and the applicant is requesting a plan amendment to “Civic Center” for compatibility with the proposed rezoning.

The adjacent properties in the Longhorn Quarry development are located within the boundaries of the San Antonio Airport Vicinity Plan are currently zoned ED (Entertainment District) with “Public Institutional” land use designation.

Entertainment Districts are designed to protect and encourage the creation and development of commercial recreation, tourist, vacation, hospitality, entertainment, sports and leisure facilities and complexes, together with complementary and accessory support facilities, operations and services that are associated with the tourist, hospitality and entertainment industries. The district is specifically created in order to classify such commercial recreation, entertainment and related uses in a distinct zoning category that expressly encompasses such uses, as opposed to the other business districts which do not specifically embody such uses. ED is a flexible zoning classification that is intended to allow for a broad range of uses that will create a controlled, favorable environment for the development of diverse commercial entertainment and amusement activities, including by way of example, theme parks, destination resorts, tourist attractions, and other recreation and leisure facilities. Such flexibility permits and encourages an appropriate balancing of land uses that promotes the development of adequate support facilities and services.

The North Sector Plan does not specify related zoning districts for “Civic Center.” However, it does list governmental and quasi-governmental uses, public or private school campuses, retreat areas, and religious campuses as example land uses. These uses are similar to the uses recommended for “Public Institutional” as found in the SA Airport Vicinity Plan. Therefore, the proposed plan amendment for the subject properties is in keeping with the same uses as the adjacent properties in the Longhorn Quarry Entertainment District.

#### **Relevant Goals and Policies of the Comprehensive Plan may include:**

- GCF Goal 1: Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.
- GCF Goal 2: Priority growth areas attract jobs and residents.
- GCF P7: Ensure employment centers provide a variety of land uses and infrastructure that will allow the city to remain economically competitive.
- GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
- JEC P21: Cluster businesses within similar and compatible industries and public institutions geographically to encourage increased interaction and collaboration.
- JEC P30: Coordinate economic development efforts and land use plans to encourage and incentivize employment growth within regional centers and along transit corridors.

- NRES P20: Encourage preservation of 100-year floodplains as natural drainage ways without permanent construction, unnecessary straightening, bank clearing or channeling.
- The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the North Sector Plan.

North Sector Plan Relevant Goals and Objectives:

- Goal ED-1 Compatible economic development along major transportation routes and existing activity centers that do not interfere with the mission of Camp Bullis
- Goal COM-1 Parks, schools, libraries, animal care and other community facilities linked to one another

**6. Size of Tract:**

The subject property totals 25.425 acres in size, which reasonably accommodates the uses permitted in “ED” Entertainment District.

**7. Other Factors:**

None.