



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-6128

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 10/20/2020

**Title:** ZONING CASE Z-2020-10700163 S ERZD (Council District 8): A request for a change in zoning from "C-2 UC-1 MLOD-1 MLR-1 ERZD AHOD" Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone Airport Hazard Overlay District and "R-6 UC-1 MLOD-1 MLR-1 ERZD AHOD" Residential Single-Family IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone Airport Hazard Overlay District and "R-6 UC-1" Residential Single-Family IH-10/FM 1604 Urban Corridor District to "C-3 S UC-1 ERZD" General Commercial IH-10/FM 1604 Urban Corridor Edwards Recharge Zone District and "C-3 S ERZD" General Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Noncommercial Parking Lot on 34.298 acres out of NCB 17700 and CB 4782 and "C-3 CD S ERZD" General Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for Warehousing and "C-3 CD S UC-1 ERZD" General Commercial IH-10/FM 1604 Urban Corridor Edward Recharge Zone District with a Conditional Use and Specific Use Authorization for Warehousing and "C-3 CD S UC-1" General Commercial IH-10/FM 1604 Urban Corridor with a Conditional Use and Specific Use Authorization for Warehousing on 29.004 acres out of NCB 17700 and CB 4782 (all "MLOD-1 MLR-1 AHOD" Camp Bullis Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District overlays to remain unchanged), generally located at 4886 West Loop 1604 North. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA-2020-11600045) (Justin Malone, Planner, (210) 207-0157, Justin.Malone@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. Site Plan, 3. SAWS report

| Date | Ver. | Action By | Action | Result |
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z-2020-10700163 S ERZD  
(Associated Plan Amendment PA-2020-11600045)

**SUMMARY:**

**Current Zoning:** "C-2 UC-1 ERZD" Commercial IH-10/FM 1604 Urban Corridor Edwards Recharge Zone District "R-6 UC-1 ERZD" Residential Single-Family IH-10/FM 1604 Urban Corridor Edwards Recharge Zone District and "R-6 UC-1" Residential Single-Family IH-10/FM 1604 Urban Corridor District

**Requested Zoning:** "C-3 S UC-1 ERZD" General Commercial IH-10/FM 1604 Urban Corridor Edwards Recharge Zone District and "C-3 S ERZD" General Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Noncommercial Parking Lot on 34.298 acres out of NCB 17700 and CB 4782 and "C-3 CD S ERZD" General Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for Warehousing and "C-3 CD S UC-1 ERZD" General Commercial IH-10/FM 1604 Urban Corridor Edward Recharge Zone District with a Conditional Use and Specific Use Authorization for Warehousing and "C-3 CD S UC-1" General Commercial IH-10/FM 1604 Urban Corridor with a Conditional Use and Specific Use Authorization for Warehousing on 29.004 acres out of NCB 17700 and CB 4782 (all "MLOD-1 MLR-1 AHOD" Camp Bullis Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District overlays to remain unchanged)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 20, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Betty Jane Beatrice Varnes Sales, individually and as the Trustee of the Betty Jane Beatrice Varnes Sales Exempt Trust

**Applicant:** TC Pursuit Services, Inc.

**Representative:** Killen, Griffin & Farrimond, PLLC

**Location:** Generally located at 4886 West Loop 1604 North

**Legal Description:** 63.302 acres out of NCB 17700 and CB 4782

**Total Acreage:** 63.302 acres

**Notices Mailed**

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

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

**Applicable Agencies:** Camp Bullis, SAWS

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 61616 on October 10, 1985 and originally zoned Temporary "R-1" Single Family Residence District. A portion of the property was rezoned from Temporary "R-1" Single Family Residence District to "B-2" Business District by Ordinance 93592, dated March 15, 2001. The remaining "R-1" Single Family Residence District converted to the current "R-6" Residential Single-Family District and the "B-2" Business District converted to the "C-2" Commercial District that accompanied the adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "QD S" With a Specific Use Permit for Blasting and Asphalt

**Current Land Uses:** Quarry

**Direction:** East

**Current Base Zoning:** “C-2”, “C-3”

**Current Land Uses:** Church, Shopping Center

**Direction:** West

**Current Base Zoning:** “C-3”, “QD CD S” With a Specific Use Permit for Blasting and Asphalt

**Current Land Uses:** Office Park, Quarry

**Direction:** South

**Current Base Zoning:** UZROW

**Current Land Uses:** Highway Loop 1604

### **Overlay and Special District Information:**

“UC”

The Urban Corridor overlay was established because there are many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of “UC” serves to preserve, enhance, and perpetuate the value of specific roadway corridors.

"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.

"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”.

"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:** N Loop 1604 W

**Existing Character:** Highway

**Proposed Changes:** None Known

**Thoroughfare:** Lou Mell Drive

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance.

**Routes Served:** 97

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. The traffic generated by the proposed development exceeds the threshold requirements.

**Parking Information:** The parking minimum for warehousing is 1 per 5,000 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** The present zoning district designation of “C-2” Commercial is designed to accommodate community commercial uses, with unlimited building size and building height limitation of 25 feet. Community commercial includes offices, professional services, and retail uses that are accessible to bicyclists and pedestrians and linked to transit facilities. This form of development should be located in proximity to major intersections or where existing commercial area has been established. Community commercial uses are intended to support multiple neighborhoods, have a larger market draw than neighborhood commercial uses, and attract patrons from the neighboring residential areas. Examples of community commercial uses include, but are not limited to, cafes, offices, restaurants, beauty parlors, neighborhood groceries or markets, and medical clinics.

The present zoning district designation of “R-6” Single-Family Residential includes single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools. This form of development should not typically be located adjacent to major arterials.

**Proposed:** The proposed zoning district designation of “C-3” General Commercial allows for C-3 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.

If rezoned commercial uses would be permitting in addition to the Specific Use Authorization which will allow a Noncommercial Parking Lot and Warehousing over the ERZD. The Conditional Use will also allow Warehousing.

**FISCAL IMPACT:**

None.

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

The property is part of the UTSA Regional Center and is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 subject property is located within the UTSA Area Regional Center Plan and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “C-3 S” and “C-3 CD S” zoning districts are not consistent with the “Urban Mixed Use” future land use designation. The applicant requested a Plan Amendment from “Urban Mixed Use” to “Business/ Innovation Mixed Use”. Staff recommends Approval. The Planning Commission recommendation is pending the October 28, 2020 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 “C-3” General Commercial base zoning is consistent with the surrounding area.

The requested Specific Use Authorization is for a Noncommercial Parking Lot and the other portion of the request is for a Conditional Use and Specific Use Authorization is for Warehousing in the ERZD.

**3. Suitability as Presently Zoned:**

The current “R-6” Residential Single-Family zoning and “C-2” Commercial zoning districts are appropriate zoning for the property. The proposed “C-3” General Commercial is also appropriate as many of the surrounding properties are currently zoned “C-3.” It is also an appropriate zoning designation along a major highway such as Loop 1604 North.

**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 UTSA Area Regional Center Plan:

Goal 7: Jobs and Economic Development: Support the expansion, development, and retention of an array of businesses, tourism, and entertainment options in order to provide job opportunities and improved quality of life that meets the need for a growing diverse community.

- Create a business-friendly environment that supports small and local businesses, continues to attract larger corporations and institutions, and encourages innovation and creative partnerships.
- Provide economic and employment opportunities that retain graduates from the University of Texas at San Antonio.

**Economic Development Recommendations**

- Economic Development Recommendation #1: Continue to invest in infrastructure and amenities that support the development of mixed-use centers and corridors in the UTSA area.
- Economic Development Recommendation #2: Develop a strategy for attracting and retaining small and mid-sized business and business support services to the UTSA area.

**6. Size of Tract:**

The subject property is 63.302 acres, which could reasonably accommodate the proposed Specific Use Authorization for a Noncommercial Parking Lot and the additional requested Conditional Use and Specific Use Authorization for Warehousing.

## **7. Other Factors:**

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. The Military has indicated that there are no objections to the request.

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.

Based on the information provided to SAWS staff, SAWS identifies the subject property as a Category 2 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 60% on the 50.576-acre portion located over the Edwards Aquifer Recharge Zone. Reference SAWS report dated October 2, 2020.

The purpose for the proposed change in zoning is to allow for a distribution center/warehousing development and noncommercial parking lot on the 63.302-acre Subject Property. The proposed rezoning is split into the following requests:

1. C-3 CD S with Conditional and Specific Use Authorization for Warehousing on 29.004 acres; &
2. C-3 S with Specific Use Authorization for Parking Lot, Noncommercial on 34.298 Acres.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

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.