



# City of San Antonio

## Agenda Memorandum

**File Number:**19-5201

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**Agenda Item Number:** Z-22.

**Agenda Date:** 8/8/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Zoning Case Z-2018-900070 S ERZD

**SUMMARY:**

**Current Zoning:** "O-2 ERZD" Office High Rise Edwards Recharge Zone District

**Requested Zoning:** "C-2 S EZRD" Commercial Edwards Recharge Zone District with Specific Use Authorization for a Wireless Telecommunication Tower

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 18, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Frank J. Sitterlee, Jr. and Jeff Buell

**Applicant:** Ralph Wyngarden

**Representative:** Ralph Wyngarden

**Location:** 1552 Emerald Forest Drive

**Legal Description:** 0.097 acres out of NCB 17727

**Total Acreage:** 0.097

**Notices Mailed**

**Owners of Property within 200 feet:** 5

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

**Applicable Agencies:** San Antonio Water Systems, Texas Department of Transportation

### **Property Details**

**Property History:** The property was annexed by the City of San Antonio on December 31, 2000 with Ordinance 92904 and originally zoned "R-6" Residential Single-Family District. The property was rezoned from "R-6 ERZD" Edwards Recharge Zone Residential Single-Family District to "C-2 ERZD" Commercial Edwards Recharge Zone District on 13.194 acres, "O-2 ERZD" Office Edwards Recharge Zone District on 13.689 acres and "O-1 ERZD" Office Edwards Recharge Zone District by Ordinance 2007-01-04-0045.

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

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "O-1" and "R-6"

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** "O-1" and "O-2"

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:** "C-2" and "O-2"

**Current Land Uses:** Vacant and City Public Service easement

**Direction:** West

**Current Base Zoning:** "C-2" and "O-2"

**Current Land Uses:** Vacant

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

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 Systems (SAWS) and City of San Antonio departments share regulatory jurisdiction over development within the "ERZD."

### **Transportation**

**Thoroughfare:** Emerald Forest Drive

**Existing Character:** Local

**Proposed Changes:** None Known

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

**Traffic Impact:** A Traffic Impact Analysis (TIA) report may be required.

### **Parking Information:**

The minimum parking required for a Wireless Communication Systems is 1 per service employee.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “O-2”. O-2 districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65 foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

**FISCAL IMPACT:**

None.

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

The property is located within the Stone Oak Regional Center and is not located within ½ of a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval.

**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 designated as “Suburban Tier” in the future land use component of the Plan. The requested “C-2” is consistent with the future land use classification.

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

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

**3. Suitability as Presently Zoned:**

The property is currently zoned “O-2” which is a suitable zoning for the property and surrounding area. The proposed “C-2” Commercial is consistent and compatible with zoning in the area. The Specific Use Authorization allows consideration of a Wireless Telecommunication Tower.

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

**6. Size of Tract:**

The property is 0.097 acres, which could accommodate the proposed 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 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.

SAWS recommendations:

1. The impervious cover shall not exceed 65% for the site.
2. The power source of the backup generator shall be located within the boundaries of the property to be rezoned and shall not include diesel, gasoline, or any other liquid fuel.
3. Outside storage and/or use of chemicals shall not be permitted on the site.