



# City of San Antonio

## Agenda Memorandum

**File Number:**20-4605

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**Agenda Item Number:** 2.

**Agenda Date:** 8/18/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 10

**SUBJECT:**

Zoning Case Z-2020-10700135 ERZD

(Associated Plan Amendment PA2020-11600040)

**SUMMARY:**

**Current Zoning:** "C-3R ERZD AHOD" General Commercial Restrictive Alcoholic Sales Edwards Recharge Zone Airport Hazard Overlay District

**Requested Zoning:** "C-2 ERZD AHOD" Commercial Edwards Recharge Zone Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 18, 2020

**Case Manager:** Mercedes Rivas, Senior Planner

**Property Owner:** Landon Cane

**Applicant:** KLove Engineering, LLC

**Representative:** KLove Engineering, LLC

**Location:** Generally located on the 5000 block of North Loop 1604 East and the 17400 block of O'Connor Road

**Legal Description:** 1.760 acres out of NCB 17726

**Total Acreage:** 1.760

**Notices Mailed**

**Owners of Property within 200 feet:** 7

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

**Applicable Agencies:** San Antonio Water System and Texas Department of Transportation

### **Property Details**

**Property History:** The property was annexed by Ordinance 83131 dated December 31, 1995 and was zoned "C-3R" General Commercial Restrictive Alcoholic Sales District.

**Topography:** A portion subject property is located within Edwards Aquifer Recharge Zone and a portion is within the Artesian Zone.

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

**Direction:** North

**Current Base Zoning:** None

**Current Land Uses:** Highway

**Direction:** East

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

**Current Land Uses:** Natural

**Direction:** South

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

**Current Land Uses:** Storage

**Direction:** West

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

**Current Land Uses:** Natural

### **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".

"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:** North Loop 1604 East

**Existing Character:** Highway

**Proposed Changes:** None Known

**Thoroughfare:** O'Connor Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

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

**Routes Served:** None

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

**Parking Information:** The minimum parking requirement for a food service establishment is 1 per 100 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current:** C-3 districts are designed to provide for more intensive commercial uses than those located within the "NC," "C-1," "C-2" or "C-3" zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

District regulations within the "C-3R" district are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises consumption shall be permitted.

**Proposed:** "C-2 Commercial 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.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is not within a Regional Transit Center or located within a half mile of 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 North Sector Plan and is currently designated as "Suburban Tier" in the future land use component of the plan. The requested "C-2" base zoning district is consistent with the future land use designation.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern. The uses permitted by "C-2" mitigate potential impacts currently permitted on the property in "C-3R".

### **3. Suitability as Presently Zoned:**

The existing “C-3R” General Commercial Restrictive Alcoholic Sales base zoning is not an appropriate zoning district for the surrounding area. The proposed “C-2” zoning is more appropriate zoning for the area, as the “C-2” acts as a buffer between the large thoroughfare and the existing single-family neighborhoods nearby.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare. The recommendations of the San Antonio Water System report assist in mitigating potential environmental impact.

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

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

- Goal ED-1 Compatible economic development along major transportation routes and existing activity centers that do not interfere with the mission of Camp Bullis
- Strategies:
  - ED-1.1: Continue to locate higher density residential and compatible employment uses near the intersections of:
    - IH-10 / Loop 410
    - US 281 / Loop 1604
    - IH-10 / Loop 1604
    - IH-35 / Loop 410
    - Along Lone Star Rail in Selma and Garden Ridge
  - ED-1.2: Continue to locate compatible employment uses at the intersections of US 281 and Loop 410. ED-1.3 Continue to maintain and revitalize the North Sector to retain and expand vibrant retail and commercial uses within the IH-10, IH-35, Loop 410 and Loop 1604 corridors and/or centers.
  - ED-1.3: Continue to maintain and revitalize the North Sector to retain and expand vibrant retail and commercial uses within the IH-10, IH-35, Loop 410 and Loop 1604 corridors and/or centers

### **6. Size of Tract:**

The subject property is approximately 1.760 acres, which would adequately support commercial uses and the requested food service establishment.

### **7. Other Factors:**

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 75% on the site. Reference SAWS report dated July 23, 2020.