



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6293

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

**Agenda Date:** 11/5/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z-2020-10700180 CD ERZD  
(Associated Plan Amendment PA-2020-116000051)

**SUMMARY:**

**Current Zoning:** "C-3 UC-1 MLOD-1 MLR-1 ERZD AHOD" General Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone Airport Hazard Overlay District and "C-3 UC-1 MLOD-1 MLR-1 AHOD" General Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "C-3 CD UC-1 MLOD-1 MLR-1 ERZD AHOD" General Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone Airport Hazard Overlay District with a Conditional Use for Coffee Roasting and "C-3 CD UC-1 MLOD-1 MLR-1 AHOD" General Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with a Conditional Use for Coffee Roasting

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 15, 2020

**Case Manager:** Victoria Castro, Planner

**Property Owner:** Teralta Partners, Ltd.

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

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

**Location:** 4949 North Loop 1604 West

**Legal Description:** 0.736 acres out of NCB 14852

**Total Acreage:** 0.736

**Notices Mailed**

**Owners of Property within 200 feet:** 3

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

**Applicable Agencies:** Camp Bullis Army Base, Planning Department, San Antonio Water Systems and Texas Department of Transportation

**Property Details**

**Property History:** The property was annexed by Ordinance 61616 on December 30, 1985 and zoned from Temporary "R-1" Single Family Residence District. The subject property was rezoned by Ordinance 82051, dated April 13, 1995, from Temporary "R-1" Single Family Residence District to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May, 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Vacant land

**Direction:** East

**Current Base Zoning:** "R-6" and "C-2"

**Current Land Uses:** Single-Family Residences and Vacant land

**Direction:** South

**Current Base Zoning:** "ROW"

**Current Land Uses:** North Loop 1604 West

**Direction:** West

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

**Current Land Uses:** Offices

**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.

"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”.  
“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.

### **Transportation**

**Thoroughfare:** Lou Mell

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** North Loop 1604 West

**Existing Character:** Interstate

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property (Route 93).

**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:** The parking requirement for Coffee Roasting is 1 parking space per 1,500 square foot of Gross Floor Area.

### **ISSUE:**

None.

### **ALTERNATIVES:**

**Current:** The current zoning district designation of “C-3” is 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.

**Proposed:** The current zoning district designation of “C-3” is 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.

The “CD” Conditional Use will allow Coffee Roasting.

**FISCAL IMPACT:**

None.

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

The property is within a Regional Center and is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) 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 subject property is located within the UTSA Area Regional Center Plan and is currently designated as “Urban Mixed-Use” in the land use component of the plan. The requested “C-3 CD” zoning district is not consistent with the future land use designation. The applicant is requesting a Plan Amendment to change the future land use to “Regional Mixed-Use”. Staff recommends Approval. The Planning Commission recommendation is pending the September 23, 2020 hearing.

**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 of the surrounding area. The properties to the north and west of the subject site are also “C-3” General Commercial.

**3. Suitability as Presently Zoned:**

The current “C-3” Commercial District base zoning district is appropriate for the surrounding area. The proposed “C-3 CD” maintains the base and the “CD” Conditional Use allows for a Coffee Roasting Facility with any necessary conditions. This section of the IH-10/FM 1604 Urban Corridor has numerous vacant lots and is lacking of businesses. Therefore, the area will benefit from the proposed zoning, considering it will utilize a currently abandoned building.

**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 request does not appear to conflict with any public policy objective of the UTSA Area Regional Center Plan, which encourages the following:

**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 needs 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.

**6. Size of Tract:**

The 0.736 acre site is of sufficient size to accommodate the proposed commercial/residential development.

**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, Texas Army National Guard and JBSA were notified of the proposed request. The Military has indicated that there are no objections to this request.

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 proposed zoning change will not increase the existing impervious cover, storm water runoff is being treated by an existing water quality basin and was found to be compliant at the time of the site evaluation. Reference SAWS report dated August 24, 2020.

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 applicant is requesting to rezone from “C-3” to “C-3 CD”, to allow for a Coffee Roasting facility.