



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6351

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**Agenda Item Number:** 2.

**Agenda Date:** 11/3/2020

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z-2020-10700060 CD S ERZD

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-1 MLR-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District

**Requested Zoning:** "C-2 CD S MLOD-1 MLR-1 AHOD ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for Motor Vehicle Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 3, 2020

**Case Manager:** Justin Malone, Planner

**Property Owner:** Bernardo Serra-Oliver

**Applicant:** Fernando De Leon

**Representative:** Fernando De Leon

**Location:** 15031 Tradesman Drive

**Legal Description:** Lot 1, Block 4, NCB 14848

**Total Acreage:** 1.3170 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 12

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

**Applicable Agencies:** Camp Bullis

### **Property Details**

**Property History:** The property was annexed by Ordinance 32614 on September 24, 1964 and was originally zoned Temporary "R-1" Single Family Residence District. The property was rezoned from Temporary "R-1" Single Family Residence District to "I-1" Light Industry District by Ordinance 42,694 dated August 23, 1973. The previous "I-1" Light Industry zoning district converted to "I-1" General Industrial District with the adoption of the 2001 Unified Development Code, established by Ordinance 93881, and dated May 03, 2001. The property was then rezoned from "I-1" General Industrial District to "C-3" General Commercial District by Ordinance 2007-05-03-0510 dated May 13, 2007.

**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-3 CD S"

**Current Land Uses:** Trucking Company

**Direction:** East

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

**Current Land Uses:** Office

**Direction:** South

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

**Current Land Uses:** Vacant Land

**Direction:** West

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

**Current Land Uses:** Auto Repair Shop

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

"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.

"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.

"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".

**Thoroughfare:** Tradesman Drive  
**Existing Character:** Local  
**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) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** The parking minimum for Motor Vehicle Sales is 1 parking space per 500 sf GFA of sales and service building.

**ISSUE:**  
None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base-zoning district of "C-3" General Commercial District.

**Current:** "C-3" General Commercial districts accommodate 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 within "C-3 ERZD" districts include: auto parts retail, recreational facilities, grocery stores, hotels, nursing facilities, professional offices, and self-service storage.

**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.

The "CD" Conditional Use will allow all "C-2" uses in addition to Motor Vehicle Sales and the "S" Specific Use Authorization will allow Motor Vehicle Sales over the Edwards Recharge Zone.

**FISCAL IMPACT:**  
None.

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

The property is located located within a regional center and but is not within a premium transit corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval.

**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 “Employment/Flex Mixed-Use” 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 did not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The requested “C-2” Commercial District is a downzone and remains consistent and compatible with existing and surrounding zoning and uses.

The “CD” Conditional Use will allow all “C-2” uses in addition to Motor Vehicle Sales and the “S” Specific Use Authorization will allow Motor Vehicle Sales over the Edwards Recharge Zone.

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

The current “C-3” General Commercial District is appropriate for the property and surrounding area. The requested “C-2 CD S” Commercial District with Conditional Use and Specific Use Authorization for Motor Vehicle Sales allows for a less intense commercial district. The Conditional Use allows the applicant to condition down the “C-3” General Commercial use of Motor Vehicle Sales to the “C-2” Commercial District.

## **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.

### **Analysis:**

The subject property is located within the SA Tomorrow UTSA Area Regional Center Plan. The property is currently undeveloped and has a future land use designation of Employment Flex Mixed Use. The applicant is requesting the rezoning to allow indoor motor vehicle sales. The C-2 zoning is an appropriate zoning district in areas designated as “Employment Flex Mixed Use.” The site is located on Tradesman Drive within close proximity to N Loop 1604 W, next to other commercially zoned properties.

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

GCF Goal 7: Development practices that minimize mitigate or avoid negative impacts on the city’s natural resources, water supply, water quality, surface waterways and air quality.

GCF P7: Ensure employment centers provide a variety of land uses and infrastructure that will allow the city to remain economically competitive.

NRES Goal 2: San Antonio balances environmental goals with business and community needs.

### **Relevant UTSA Area Regional Center Plan goals/recommendations/strategies:**

Land Use Category Definitions: The Employment Flex Mixed Use designation provides a flexible live/work environment with an urban mix of residential and light service industrial uses. Uses include smaller-scale office, retail, art studio warehouses, art-oriented fabrication, creative businesses and workspaces, and cottage industrial and fabrication uses. Adaptive uses of vacant or underutilized structures are encouraged to provide residential urban infill and appropriate employment opportunities within or in close proximity to neighborhoods.

Goal 5: Natural Resources: Protect sensitive natural resources while allowing for growth and development.

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.

LU Strategy 5.2 Support rezoning of property that is designated as Employment/Flex Mixed-Use surrounding the Tradesman Quarry in order to accommodate the desired mixture of light industrial, residential, craft

industries, and small-scale commercial uses, while ensuring compatibility with existing development.

The proposed C-2 zoning is consistent with the adopted Land Use Plan of the UTSA Area Regional Center Plan, which classifies the subject property as Employment Flex Mixed Use. The site is located within Focus Area #2 Tradesman Quarry and the surrounding Industrial Park, which is envisioned as a mixed-use “downtown” center surrounded by recreational open space and multi-use trails that will attract and are accessible to visitors and patrons from nearby residential areas. Land uses would include a mix of the light industrial and service uses that currently exist, but would also allow for adaptive re-use of older industrial or flex properties for creative work spaces, cottage industry or fabrication uses, limited-unit live-work lofts with apartments located above work spaces, as well as workforce housing in the form of condos and small apartment buildings.

**Focus Areas Recommendation #4:** Encourage new development and infill projects to contain a mix of uses that will serve as residential, commercial, and entertainment destinations.

The UTSA Area has many existing commercial and residential uses; however, each use is singular and divided from other uses. It is crucial to create mixed-use opportunities within the focus areas and along the corridors to increase user activity, easier accessibility, and smart growth.

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

The subject property is 1.3170 acres, which could reasonably accommodate commercial uses and Motor Vehicle Sales.

#### **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, JB SA was 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 2 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed the existing impervious cover on site. Reference SAWS report dated October 2, 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 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.