



City of San Antonio

Agenda Memorandum

Agenda Date: December 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:

ZONING CASE Z-2023-10700228

(Associated Plan Amendment PA-2023-11600063)

SUMMARY:

Current Zoning: "NC MSAO-1 MLOD-1 MLR-1 AHOD" Neighborhood Commercial Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

Requested Zoning: "C-2NA MSAO-1 MLOD-1 MLR-1 AHOD" Commercial Nonalcoholic Sales Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 7, 2023. This case was continued at the October 3, 2023 hearing.

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: AMPT Investments, LLC

Applicant: Tom Tucker

Representative: Tom Tucker

Location: 20215 Tejas Trail West

Legal Description: 2.432 acres out of NCB 35936, save and except 0.264 acres

Total Acreage: 2.432 acres

Notices Mailed

Owners of Property within 200 feet: 11

Registered Neighborhood Associations within 200 feet: NA

Applicable Agencies: Camp Bullis, Planning Department

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 88824, dated December 30, 1998, and was originally zoned Temporary "R-1" Single Family Residence District. The property was rezoned by Ordinance 89324, dated February 12, 1999, to "R-8" Large Lot Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-8" Large Lot Residence District converted to "R-20" Residential Single-Family District. The property was rezoned by Ordinance 98082, dated August 28, 2003, to the current "NC" Neighborhood Commercial District.

Code & Permitting Details

There is no code enforcement or permitting history for the subject property.

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: "R-20"

Current Land Uses: Residential Dwelling

Direction: South

Current Base Zoning: "MPCD"

Current Land Uses: Vacant

Direction: East

Current Base Zoning: "O-2 S" Specific Use for Daycare Center

Current Land Uses: Residential Dwelling, School

Direction: West

Current Base Zoning: "R-6" "C-1"

Current Land Uses: Vacant, Residential Dwelling, Custom cabinetry business

Overlay District Information:

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

The "MLOD-1" Camp Bullis Military Lighting Overlay District 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.

The "MSAO-1" Camp Bullis Military Sound Attenuation Overlay District does not restrict permitted uses but does enforce construction standards intended to lessen the impact of external noise from the nearby military installation. The "MSAO-1" regulations apply to new construction of habitable structures.

Special District Information:

No special district information.

Transportation

Thoroughfare: West Tejas Trail

Existing Character: Local Street

Proposed Changes: None known

Thoroughfare: Camp Bullis Road

Existing Character: Secondary Arterial Type A

Proposed Changes: None known

Public Transit: There are no VIA bus routes in proximity to the subject property.

Routes Served: NA

Traffic Impact: A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

Parking Information: The minimum parking requirement for a professional office is 1 parking space per 300 sq/ft of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "NC" Neighborhood Commercial District provides small areas for offices, professional services, service and storefront retail uses; all designed in scale with surrounding residential development. Building size is limited to 3,000 square feet. Examples of permitted uses: animal and pet services, fitness/health club, antique store, apparel and accessory store, bookstore, bakery, florist, gift shop, professional offices, music store, convenience store, and restaurant.

Proposed Zoning: "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.

“C-2NA” Commercial Nonalcoholic Sales Districts are identical to C-2 districts except that the sale of alcoholic beverages is prohibited.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff and Zoning Commission recommend Approval.

The applicant amended to add “NA” Nonalcoholic Sales.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the North Sector Plan, adopted in August 2010, and is currently designated as “Country Tier” in the future land use component of the plan. The requested “C-2NA” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Suburban Tier”. Staff and Planning Commission recommend Approval.
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 property is in an area that accommodates a mix of low-intensity commercial uses as well as some residential uses; the proposed use aligns with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The current “NC” Neighborhood Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2NA” Commercial Nonalcoholic Sales District is also appropriate. The property is placed and sized to adequately accommodate the proposed development. The subject property is at the intersection of a secondary arterial and a local street, which is a suitable location for commercial development. The applicant is seeking the “C-2NA” Commercial Nonalcoholic Sales District to permit a larger building square-footage than “NC” Neighborhood Commercial District and “C-1” Light Commercial District allow. The inclusion of the NA alcohol will prohibit the sale of alcohol on the property, for on or off premises consumption.
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 objectives. Relevant Goals and Policies of the Comprehensive Plan may include:

- JEC Goal 1: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses.
- M Goal 1: Incompatible land uses in the vicinity of Joint Base San Antonio (JBSA) locations are minimized in order to safeguard operational mission requirements
- M P13: Continue to enforce the City's Dark Skies Ordinance around Camp Bullis to address unnecessary light pollution, uplight, and glare from new construction or the revision/replacement of existing lighting.

Relevant Goals and Strategies of the North Sector Plan may include:

- Goal LU-1 Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable.
- Goal ED-1 Compatible economic development along major transportation routes and existing activity centers that do not interfere with the mission of Camp Bullis.

6. **Size of Tract:** The subject property is 2.432 acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to rezone to "C-2NA" to develop a professional office to accommodate a construction company.

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 this request.