



City of San Antonio

Agenda Memorandum

Agenda Date: December 19, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Director

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:

ZONING CASE Z-2024-10700243 S ERZD

SUMMARY:

Current Zoning: “C-3 NA ERZD” General Commercial Nonalcoholic Sales Edwards Recharge Zone District

Requested Zoning: “C-2 S ERZD” Commercial Edwards Recharge Zone District with a Specific Use for Wireless Communication System within the Edwards Recharge Zone District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 19, 2024

Case Manager: Bronte Frere, Zoning Planner

Property Owner: LaMAt Enterprises, LLC

Applicant: ArchComm, LLC

Representative: ArchComm, LLC

Location: 13307 Western Oak Drive

Legal Description: 0.0023 acres out of NCB 17615

Total Acreage: 0.0023 acres

Notices Mailed**Owners of Property within 200 feet:** 7**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Planning Department**Property Details**

Property History: The property was annexed into the City of San Antonio by Ordinance 86864, dated December 30, 1997, and zoned "B-3 NA" Business Nonalcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3 NA" Business Nonalcoholic Sales District converted to the current "C-3 NA" General Commercial Nonalcoholic Sales District.

Code & Permitting Details: There is no code enforcement of permitting history for the subject property.

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:** "C-3 NA CD"**Current Land Uses:** Electrician**Direction:** South**Current Base Zoning:** "C-3 NA"**Current Land Uses:** Electrical Substation, Vacant Land**Direction:** East**Current Base Zoning:** "C-3 NA," "C-3 NA CD"**Current Land Uses:** Custom Home Builder, Gym**Direction:** West**Current Base Zoning:** OCL**Current Land Uses:** Single-Family Dwellings, Vacant Land**Overlay District Information:**

The "ERZD" Edwards Recharge Zone District 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."

Special District Information:

N/A

Transportation

Thoroughfare: Western Oak Drive

Existing Character: Local

Proposed Changes: None known.

Thoroughfare: Western Road

Existing Character: Local

Proposed Changes: None known.

Public Transit: There are no VIA bus routes within a ½ mile of the subject property.

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 wireless communication system is 1 parking space per employee.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “C-3NA” General Commercial Nonalcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

Proposed Zoning: “C-2 S” 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 “S” Specific Use Authorization is for a Wireless Communication System within the ERZD (recharge zone).

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within a Regional Center or within ½ a mile from a Premium Transit Corridor.

RECOMMENDATION:

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

SAWS has no impervious cover recommendation. The cell tower and equipment cabinet are existing and the applicant is only proposing to add an antenna; impervious cover will not change.

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 “Suburban Tier” in the future land use component of the plan. The requested “C-2 S” base zoning district is consistent with the future land use designation.
- 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 proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are “C-3 NA” General Commercial Nonalcoholic Sales District.
- 3. Suitability as Presently Zoned:** The existing “C-3 NA” General Commercial Nonalcoholic Sales District is an appropriate zoning for the property and surrounding area. The proposed “C-2 S” Commercial District with a Specific Use for Wireless Communication System within the Edwards Recharge Zone District is also an appropriate zoning for the property and surrounding area. The proposed “C-2 S” is a down zone from the current base zoning district and would limit the intensity of commercial uses currently permitted on the property. The requested “C-2 S” is to add an antenna to the existing site. There is an existing cell tower and equipment cabinet on the property.
- 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. Relevant Goals and Policies of the SA Comprehensive Master 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 Goal 5:** Growth and city form support improved livability in existing and future neighborhoods.Relevant Goals and Policies of the North Sector Plan may include:
 - **Goal NR-1:** Edwards Aquifer Recharge and Contributing Zones are protected as the City’s primary potable water source.
 - **Goal LU-1:** Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable.
- 6. Size of Tract:** The 0.0023-acre site is of sufficient size to accommodate the proposed commercial development.
- 7. Other Factors:** The zoning change request is to allow for the development of a wireless communication system within the ERZD.

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 with no

impervious cover requirement. The cell tower and equipment cabinet are existing and the applicant is only proposing to add an antenna to the existing site. Reference SAWS report dated October 29, 2024.

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.

The applicant has submitted a site plan in accordance with the requirements of the code. The site plan indicates commercial uses.