



City of San Antonio

Agenda Memorandum

Agenda Date: December 5, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:

Zoning Case Z-2023-10700171 ERZD Associated Plan Amendment PA-2023-11600045

SUMMARY:

Current Zoning: "QD CD UC-1 MLOD-1 MLR-1 AHOD ERZD" Quarry IH-10/FM 1604 Urban Corridor Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District with a Conditional Use for Blasting and Asphaltic Concrete and "C-2 UC-1 MLOD-1 MLR-1 AHOD ERZD" Commercial IH-10/FM 1604 Urban Corridor Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District

Requested Zoning: "ED UC-1 MLOD-1 MLR-1 AHOD ERZD" Entertainment IH-10/FM 1604 Urban Corridor Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 5, 2023

Case Manager: Camryn Blackmon, Zoning Planner

Property Owner: Rogers 1604 Commercial, Ltd., by its General Partner, Bitterblue, Inc.

Applicant: Rogers 1604 Commercial, Ltd., by its General Partner, Bitterblue, Inc.

Representative: Brown & McDonald PLLC

Location: Generally located in the 4000 block of West Loop 1604

Legal Description: 51.049 acres out of NCB 17700

Total Acreage: 51.049 acres

Notices Mailed

Owners of Property within 200 feet: 27

Registered Neighborhood Associations within 200 feet: N/A

Applicable Agencies: Military, SAWS

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 88720, dated October 31, 1998, and zoned "R-1 ERZD" Temporary Single-Family Residence Edwards Recharge Zone District. The southern portion of the property was rezoned by Ordinance 88792, dated November 12, 1998, to "QD ERDZ CC" Quarry Edwards Recharge Zone District with City Council Approval For Blasting And Asphaltic Concrete. The northern and eastern portion of the property was rezoned by Ordinance 2011-10-06-0843, dated October 6, 2011, to "C-2 ERDZ" Commercial Edwards Recharge Zone District.

Code & Permitting Details:

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

Topography: A portion of subject property is located with the 100 Year Flood Plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning:

Current Land Uses: Vacant

Direction: East

Current Base Zoning:

Current Land Uses: School

Direction: South

Current Base Zoning:

Current Land Uses: Vacant

Direction: West

Current Base Zoning:

Current Land Uses: Vacant

Overlay District Information:

The "UC-_" _____ 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. 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 "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 "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:

The Entertainment District is a special district which includes a primary use a theme park or destination resort that is developed as a regional tourist entertainment facility.

Transportation

Thoroughfare: West Loop 1604

Existing Character: None

Proposed Changes: None Known

Public Transit: There is no public transit within walking distance of the subject property.

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking requirement for amusement and/or theme park is 1 per 600 sf outdoor recreation area. The maximum parking requirement for amusement and/or theme park is 1 per 500 sf outdoor recreation area.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: Allows for a quarry and related uses for the extraction of limestone and other raw materials and the processing of those materials into finished projects. C-2 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-2" Commercial District accommodates 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.

Proposed Zoning: Districts which include as a primary use a theme park or destination resort that is developed as a regional tourist entertainment facility.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is located within UTSA Regional Center but is not within ½ a mile from the Premium Transit Corridor

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Approval.

SAWS recommends no more than 65% impervious cover limitation.

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 UTSA Area Regional Center Plan and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “ED “base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Mixed Use”. Pending Staff and Planning Commission recommendation.
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.
3. **Suitability as Presently Zoned:** ADD
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. Relevant Goals and Policies of the Comprehensive Plan may include:
 - H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
 - 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.
 - JEC Goal 2: Traditional and targeted growth industries support San Antonio’s diversified economy and provide a wide range of job opportunities.

Relevant Goals and Policies of the UTSA Area Regional Center Plan may include:

- Goal 1: Housing: Support diverse, affordable, and abundant housing options with an emphasis on mixed-use development that is safe, comfortable, and attractive for current and future residents of the UTSA Area.
- Goal 4: Recreation: Provide a variety of accessible and connected gathering places, parks, recreation, and entertainment opportunities for all ages.
- 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.
- Goal 8: Compatibility with Camp Bullis: Promote and encourage compatible land uses in close proximity to Camp Bullis.

6. **Size of Tract:** The 51.049-acre site is of sufficient size to accommodate the proposed commercial 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, JBSA 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 1 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 65% on the site. Reference SAWS report dated October 30, 2023.