



City of San Antonio

Agenda Memorandum

Agenda Date: September 7, 2023

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 9

SUBJECT:

ZONING CASE Z-2023-10700133 CD S ERZD

SUMMARY:

Current Zoning: "RP MLOD-1 MLR-2 ERZD" Resource Protection Camp Bullis Military Lighting Overlay Military Region 2 Edwards Recharge Zone District and "C-2 MLOD-1 MLR-2 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District

Requested Zoning: "C-2 CD S MLOD-1 MLR-2 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District for a Conditional Use for Office Warehouse (Flex Space) - Outside Storage Not Permitted and a Specific Use Authorization for Office Warehouse (Flex Space) - Outside Storage Not Permitted over the Edwards Recharge Zone District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: August 1, 2023

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: Tonkiwa, Ltd., Lyon Mountain Inc.

Applicant: Tonkiwa, Ltd., Lyon Mountain Inc.

Representative: Brown and McDonald, PLLC

Location: Generally located in the 2000 block of Evans Road

Legal Description: 27.143 acres out of NCB 17000, NCB 17600, and NCB 18217

Total Acreage: 27.143 Acres

Notices Mailed

Owners of Property within 200 feet: 76

Registered Neighborhood Associations within 200 feet: Encino Park Homeowners Association

Applicable Agencies: Camp Bullis, SAWS, Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 59768, dated December 30, 1984, and Ordinance 61608, dated December 29, 1985, and zoned Temporary “R-1” Single-Family Residence District. A portion of the property was rezoned by Ordinance 87499, dated March 12, 1998, to “P-1 (R-3)” Multiple-Family Residence Planned Unit Development District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary “R-1” Single-Family Residence District converted to “R-6” Residential Single-Family District and the “P-1 (R-3)” Multiple-Family Residence Planned Unit Development District converted to “PUD MF-33” Planned Unit Development Multi-Family District. The property was rezoned by Ordinance 2006-01-12-73, dated January 12, 2006, to the current “RP” Resource Protection District and “C-2” Commercial District.

Topography: The property does feature a slope, as well as some incursion within the 100-year floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: “C-2”, “C-2 S”, “C-3”

Current Land Uses: Shopping strip, Park, Children’s Academy, Veterinary Hospital, Art and Sciences Institute, Grocery store, Library

Direction: South

Current Base Zoning: “R-6”

Current Land Uses: Post office, Residential Dwelling

Direction: East

Current Base Zoning: “R-6 PUD”

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: “C-3”

Current Land Uses: Immigration & naturalization service office, Veterinary Hospital, Home improvement center

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".

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.

Special District Information:

There is no special district information.

Transportation

Thoroughfare: East Evans Road

Existing Character: Primary 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 an office warehouse is 1 parking space per 2,000 square feet of gross floor area.

ISSUE:

None.

ALTERNATIVES:

Current 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.

"RP" Resource Protection District protects and preserves valuable agricultural areas, implements agricultural and natural resource protection; requires a minimum of 10 acres. Agricultural operations and natural resource industries, single-family dwelling, farming and truck garden, public and private schools, transit transfer center and bus stops.

Proposed Zoning: "C-2 CD 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.

If approved, the “CD S” is for Office Warehouse (Flex Space) - Outside Storage Not Permitted over the Edwards Recharge Zone District. The “S” Specific Use Authorization is required due to the subject property’s location within the ERZD.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Stone Oak Regional Center but is not within a ½ mile of a Premium Transit Corridor.

RECOMMENDATION:

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

SAWS recommends no more than 50% 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 North Sector Plan and is currently designated as “Suburban Tier” and “Regional Commercial” in the future land use component of the plan. The requested “C-2 CD 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, which accommodates many other medium to high intensity commercial uses.
3. **Suitability as Presently Zoned:** The current “RP” Resource Protection District and “C-2” Commercial District are appropriate for the property and surrounding area. The proposed “C-2 CD S” Commercial District with a Conditional Use and Specific Use Authorization for an Office Warehouse is also appropriate. The surrounding area accommodates other medium to high intensity commercial land uses, and the property is sized and placed to adequately accommodate the proposed development. The rezoning maintains the base zoning designation “C-2”, and the “CD S” Conditional Use and Specific Use Authorization allow consideration of an office warehouse use over the recharge zone with a prescribed site plan.
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 of the North Sector Plan:

- Goal LU-1 Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable.
 - o LU-1.1 Locate buffers between high density/intensity land uses that are potentially incompatible.
 - o LU-1.6 Identify and preserve appropriate areas, including floodplains, (based on size, location and ecological value) for preservation of natural resources.

6. Size of Tract: The subject property is 27.143 acres, which can accommodate the proposed development.

7. Other Factors: The applicant intends to rezone to “C-2 CD S” to accommodate the development of an office warehouse on the property.

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 50% on the site. Reference SAWS report dated July 14, 2022.

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.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

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.