



City of San Antonio

Agenda Memorandum

Agenda Date: October 17, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:
ZONING CASE Z-2023-10700155 S ERZD

SUMMARY:
Current Zoning: "ED ERZD" Entertainment Edwards Recharge Zone District

Requested Zoning: "ED S ERZD" Entertainment Edwards Recharge Zone District with a Specific Use Authorization for Wireless Communication System

BACKGROUND INFORMATION:
Zoning Commission Hearing Date: October 17, 2023. This item was continued from the September 19, 2023 hearing.

Case Manager: Adolfo Gonzalez, Zoning Planner

Property Owner: Pedrotti, Ltd

Applicant: Lewis Martin

Representative: Lewis Martin

Location: 13715 FM 1560 North

Legal Description: 0.028 acres out of CB 4540A

Total Acreage: 0.028

Notices Mailed

Owners of Property within 200 feet: 23

Registered Neighborhood Associations within 200 feet: Fossil Springs Ranch Neighborhood Association

Applicable Agencies: San Antonio Water System (SAWS), Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 101603, dated December 30, 2005, and zoned "DR" Development Reserve District. The property was rezoned by Ordinance 2010-10-07-0872, dated October 7, 2010, to "ED" Entertainment District.

Code & Permitting Details:

There is no relevant 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 floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "DR"

Current Land Uses: Residential Dwelling

Direction: East

Current Base Zoning: "RE"

Current Land Uses: Residential Dwelling

Direction: South

Current Base Zoning: "OCL"

Current Land Uses: Residential Dwelling

Direction: West

Current Base Zoning: "DR"

Current Land Uses: Residential Dwelling

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:

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: FM 1560 North

Existing Character: Secondary Arterial A

Proposed Changes: None known.

Thoroughfare: Tyler Oaks

Existing Character: Local

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 Wireless Communication Systems is 1 space per service employee. There is no maximum parking requirement for Wireless Communication Systems.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: "ED" Entertainment District which include as a primary use a theme park or destination resort that is developed as a regional tourist entertainment facility.

Proposed Zoning: "ED S" Entertainment District which include as a primary use a theme park or destination resort that is developed as a regional tourist entertainment facility.

The "S" Specific Use Authorization would allow for a Wireless Communication System.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The 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 recommends Approval.

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" in the future land use component of the plan. The requested "ED" 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.
3. **Suitability as Presently Zoned:** The existing "ED" Entertainment District is an appropriate zoning for the property and surrounding area. The proposed "ED S" Entertainment District with a Specific Use Authorization for Wireless Communication System is also an appropriate. The proposed use would maintain the base zoning district, while designating a small pad site of 0.028 acres out of the overall 8.4520-acre property for a wireless communication system (cell phone tower). The location and design would be bound to a prescribed site plan and major amendments to the site plan would require going back through the zoning process for consideration.
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 of the North Sector Plan. Goals and Objectives may include:
 - Goal UTI-6: Utility investments coordinated in order to accommodate recommended future development.
 - ED-1.4 Work cooperatively with other incorporated and adjacent cities and counties, and other local and regional economic development entities to retain, expand, and improve the North Sector economic base.
6. **Size of Tract:** The 0.028 acre site is of sufficient size to accommodate the proposed wireless communication system development.
7. **Other Factors:** 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 7.25% on the site. Reference SAWS report dated August 10, 2023.

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 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 applicant is rezoning to install a Wireless Communication System.