



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 21, 2024

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 9

**SUBJECT:**

ZONING CASE Z-2023-10700169 CD S ERZD

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-1 MLR-1 ERZD" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone District

**Requested Zoning:** "C-2 CD S MLOD-1 MLR-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Edwards Recharge Zone District with a Conditional Use for a Veterinary Hospital - Large and Small Animal and Specific Use Authorization for a Veterinary Hospital – Large and Small Animal over the Edwards Recharge Zone District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 20, 2024

**Case Manager:** Ann Benavidez, Zoning Planner

**Property Owner:** David Joseph Fernandez

**Applicant:** David Joseph Fernandez

**Representative:** Brown and McDonald PLLC

**Location:** 18854 Stone Oak Parkway

**Legal Description:** Lot 2, Block 1, NCB 16332

**Total Acreage:** 0.3970 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 12

**Registered Neighborhood Associations within 200 feet:** Stone Oak Neighborhood Association

**Applicable Agencies:** San Antonio Water System, Camp Bullis, Planning Department

**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 86866 dated December 31, 1997 and zoned Temporary "R-1" Single-Family Residence 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 the current "R-6" Residential Single-Family District.

**Code & Permitting Details:**

Commercial Project Application (COM-PRJ-APP21-39801790)- June 2021

**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:** "C-2"

**Current Land Uses:** Pharmacy, Commercial Strip, Physician office, Drugstore

**Direction:** South

**Current Base Zoning:** "C-2", "C-2 PUD"

**Current Land Uses:** Hair Salon, Professional Office, Commercial Strip

**Direction:** East

**Current Base Zoning:** "C-2"

**Current Land Uses:** Oral Surgeon, Dentist

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Apartments, Childcare

**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:**

N/A

**Transportation**

**Thoroughfare:** Stone Oak Parkway

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Sonterra Place

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** There are VIA bus routes within walking distance of the subject property.

**Routes Served:** 503, 648

**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 veterinary hospital is 1 parking space per employee.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6" Residential Single-Family District permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

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.

The "CD" Conditional Use and "S" Specific Use Authorization would permit a veterinary hospital on the property, and over the Edwards Aquifer Recharge Zone.

**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 Metro Premium Transit Corridor.

**RECOMMENDATION:**

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

SAWS recommends 65% impervious cover.

**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 “Regional Center” 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 aligns with the established development pattern of the surrounding area. The property is located off of a commercial corridor, with “C-2” Commercial District and “C-2 PUD” Commercial Planned Unit Development District surrounding the property.
3. **Suitability as Presently Zoned:** The current “R-6” Residential Single-Family District is not an appropriate zoning for the property and surrounding area. The proposed “C-2 CD S” Commercial District with a Conditional Use for a Veterinary Hospital - Large and Small Animal and Specific Use Authorization for a Veterinary Hospital – Large and Small Animal over the Edwards Recharge Zone District is appropriate. The property is fronting a secondary arterial with other commercial zoning and land use surrounding it. It would not be appropriate to establish a single-family home on this property considering the size and placement 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 objectives of the North Sector Plan:
  - ED-1.3 Continue to maintain and revitalize retail and commercial uses
  - ED-2.3 Support increased activity of existing businesses
  - ED-2.4 Attract biotechnology and medical industry jobs
6. **Size of Tract:** The subject property is 0.3970 acres, which can reasonably accommodate the proposed commercial development.
7. **Other Factors:** The applicant intends to rezone to “C-2 CD S” to bring an existing veterinary hospital into compliance with zoning regulations.

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 January 30, 2024.

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.