



City of San Antonio

Agenda Memorandum

Agenda Date: May 2, 2024

In Control: City Council

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 9

SUBJECT:
ZONING CASE Z-2023-107000350 S ERZD

SUMMARY:

Current Zoning: “C-3 MLOD-1 MLR-1 AHOD ERZD” General Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District

Requested Zoning: “C-2 S MLOD-1 MLR-1 AHOD ERZD” Commercial Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District with a Specific Use Authorization for Wireless Communication System within the Edwards Recharge Zone District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: April 2, 2024. This item was continued at the March 19, 2024 hearing.

Case Manager: Samantha Benavides, Zoning Planner

Property Owner: HPC #1, LLC

Applicant: ArchComm, LLC

Representative: ArchComm, LLC

Location: 4079 North Loop 1604 West

Legal Description: 0.020 acres out of NCB 17701

Total Acreage: 0.020 acres

Notices Mailed

Owners of Property within 200 feet: 8

Registered Neighborhood Associations within 200 feet: None

Applicable Agencies: Camp Bullis, SAWS, Planning Department

Property Details

Property History: The subject property was annexed into the City of San Antonio by Ordinance 61616, dated December 30, 1985, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 64863, dated April 9, 1987, to "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District.

Code & Permitting Details:

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

Topography: The portion of the subject property where the wireless tower will be located contains a slope declining towards NW Military.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "R-4"

Current Land Uses: Single Family Dwellings

Direction: East

Current Base Zoning: "C-3", "MF-25"

Current Land Uses: Retail, Apartment Complex

Direction: South

Current Base Zoning: "C-3"

Current Land Uses: Restaurants

Direction: West

Current Base Zoning: "C-2"

Current Land Uses: Apartment Complex, Hospital

Overlay District Information:

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:

None

Transportation

Thoroughfare: NW Military Highway

Existing Character: Minor Primary Arterial A

Proposed Changes: None

Thoroughfare: Loop 1604

Existing Character: Interstate

Proposed Changes: None

Public Transit: There is public transit within walking distance of the subject property.

Routes Served: 97

Traffic Impact: **The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502**

A TIA Report is Not Required.

Parking Information: The minimum parking requirement for wireless communications systems are 1 parking space per employee.

ISSUE:

None

ALTERNATIVES:

Current Zoning: "C-3" General Commercial Districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code.

Proposed 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.

The "S" Specific Use Authorization is for a Wireless Communication System within the Edwards Recharge Zone District.

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 and Zoning Commission recommends Approval.

SAWS recommends 16% 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, adopted in 2010, and is currently designated as "Suburban Tier" in the future land use component of the plan. The requested "C-2" 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 zoning is "C-3" General Commercial and "C-2" Commercial district.
3. **Suitability as Presently Zoned:** The existing "C-3" General Commercial District is an appropriate zoning for the property and surrounding area. The proposed "C-2 S" Commercial District with Specific Use Authorization over the Edwards Recharge Zone District is also appropriate. The subject area is surrounded by a variety of established commercial uses within a strip center. The request downzones the site from "C-3" General Commercial to "C-2" Commercial and the "S" Specific Use Authorization allows consideration of the use over the Edwards Recharge Zoning District.
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 Objectives from the Comprehensive Plan may include:
- PFCS Goal 1: San Antonio has a 21st century infrastructure that supports the existing and future growth of the city.

Relevant Goals and Policies of the North Sector Plan may include:

- Goal LU-1: Compatible land use pattern promoted so that natural resources are preserved, and the local economy remains viable.
 - o LU-1.4: Continue programs to improve the quality of life in existing neighborhoods, using available city, county, state, and federal resources, including: enforcement of all codes, participation in neighborhood associations, housing and commercial rehabilitation programs, historic or neighborhood conservation designations and other city and county departmental actions.
 - Goal LU-3: Higher density/intensity tiers are recommended adjacent or proximate to activity centers.
 - o LU-3.1: Set priority for pursuing a compatible and highest and best use for development of vacant land infill and underutilized parcels between Loop 1604 and Loop 410 in a compatible manner as recommended in the Sector Land Use Plan.
 - o LU-3.2: Integrate mixed use areas vertically as well as horizontally, allowing for differing uses within the same building, as well as within the same project area.
6. **Size of Tract:** The 4.0930 acre site is of sufficient size to accommodate the proposed development.
7. **Other Factors:** The applicant intends to rezone to “C-2 S” to allow for the development of a wireless communications tower.

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 16% on the site. Reference SAWS report dated February 15, 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 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 develop a wireless tower.

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