



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** March 19, 2024

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 8

**SUBJECT:**

ZONING CASE Z-2023-10700353 ERZD

(Associated Plan Amendment PA-2023-11600091)

**SUMMARY:**

**Current Zoning:** "R-6 CD S UC-1 MLOD-1 MLR-2 ERZD" Residential Single-Family District IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Overlay 2 Edwards Recharge Zone District with a Conditional Use for a Noncommercial Parking Lot, and with a Specific Use Authorization for a Noncommercial Parking Lot over the Edwards Recharge Zone and "O-1 S UC-1 MLOD-1 MLR-2 ERZD" Office District IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Overlay 2 Edwards Recharge Zone District with a Specific Use Authorization for a Noncommercial Parking Lot over the Edwards Recharge Zone

**Requested Zoning:** "C-2 UC-1 MLOD-1 MLR-2 ERZD" Commercial IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 19, 2024

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

**Property Owner:** Kyle Seale Crossings LTD

**Applicant:** Kyle Seale Crossings LTD

**Representative:** Patrick Christensen, PLLC

**Location:** 999 Red Robin Road and 7535 West Loop 1604

**Legal Description:** Lot 6 and Lot 8, Block 4, NCB 14759

**Total Acreage:** 0.6520 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 10

**Registered Neighborhood Associations within 200 feet:** Hills & Dales Neighborhood Association

**Applicable Agencies:** Camp Bullis, Planning Department, SAWS, TxDOT

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 39197, dated February 24, 1971, and was originally zoned Temporary "R-1" Single-Family Residence District. With the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001, the property zoned Temporary "R-1" Single-Family Residence District converted to "R-6" Residential Single-Family District. The property was rezoned by Ordinance 2008-04-17-0329, dated April 17, 2008, to the current "O-1 S" Office District with a Specific Use Authorization for a Non-Commercial Parking Lot and "R-6 CD S" Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot and a Specific Use Authorization for a Non-Commercial Parking Lot within the Edwards Recharge Zone.

**Code & Permitting Details:**

There are no code or permitting details for the subject property.

**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:** "R-6"

**Current Land Uses:** Residential dwellings

**Direction:** South

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

**Current Land Uses:** Loop 1604 West, Vacant, Electronics store

**Direction:** East

**Current Base Zoning:** "C-2NA", "R-6"

**Current Land Uses:** Bank, Home builder office

**Direction:** West

**Current Base Zoning:** "R-6", "C-2 CD", "C-2"

**Current Land Uses:** Physicians office, Pools and spa retailer, Church

**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:**

No special district information.

**Transportation**

**Thoroughfare:** Red Robin Road

**Existing Character:** Local Street

**Proposed Changes:** None known

**Thoroughfare:** West Loop 1604

**Existing Character:** Interstate Highway

**Proposed Changes:** None known

**Public Transit:** There are no VIA transit options within a ½ mile of 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 most retail oriented commercial uses is 1 parking space per 300 square feet of gross floor area. The minimum parking requirement for most medical office uses is 1 parking space per 400 square feet of gross floor area.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6 CD S" Residential Single-Family District permits single-family dwelling (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.

"O-1 S" Office Districts permit small and medium office uses, banks, worship facilities, public and private school, employment agency, library, medical clinic, optician, interior decorator studio. Maximum building size is 10,000 square feet for individual buildings. Outdoor display or sale of merchandise is prohibited.

The current “CD” Conditional Use and “S” Specific Use Authorization permits a noncommercial parking lot on the property, and over the Edwards Recharge Zone.

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.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not located within a Regional Center or within a ½ mile of a Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment.

**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 August 2010, and is currently designated as “Rural Estate Tier” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Suburban Tier”. Staff and Planning Commission recommend Approval.
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. Properties directly to the east and west of the subject property are “C-2” Commercial and “C-2 NA” Commercial Nonalcoholic districts.
3. **Suitability as Presently Zoned:** The current “R-6 CD S” Residential Single-Family District with a Conditional Use for a Noncommercial Parking lot and a Specific Use Authorization for a Noncommercial Parking Lot over the Edwards Recharge Zone and “O-1 S” Office District with a Specific Use Authorization for a Noncommercial Parking Lot over the Edwards Recharge Zone is an appropriate zoning for the property and surrounding area. The proposed “C-2” Commercial District is also an appropriate zoning district. The property fronts Loop 1604 West and is situated in a commercial corridor. While there is a large lot low density residential development pattern to the north of the subject area, the property is placed identically to other abutting commercial properties, with the proposed commercial zoning fronting Loop 1604 West to minimize commercial encroachment into the residential neighborhood.

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. Relevant Goals and Policies of the Comprehensive Plan may include:
  - 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.

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

- ED-1.3 Continue to maintain and revitalize retail and commercial uses
  - LU-1.5 Promote flexibility and innovation in residential, business and recreational land uses
6. **Size of Tract:** The subject property is 0.6520 acres, which can reasonably accommodate the proposed commercial development.
  7. **Other Factors:** The applicant intends to rezone to "C-2" to allow for commercial development on the subject 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 65% on the site. Reference SAWS report dated February 15, 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.