



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-2401

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/6/2014

**Title:** ZONING CASE # Z2014218 (District 8): An Ordinance amending the Zoning District Boundary from "C-1 GC-1 MSAO-1 MLOD-1" Light Commercial Hill Country Gateway Corridor Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District to "C-2 GC-1 MSAO-1 MLOD-1" Commercial Hill Country Gateway Corridor Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District on 2.432 acres out of NCB 35733 located at 21650 Milisa Drive. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-218, 2. Z2014218

Date	Ver.	Action By	Action	Result
11/6/2014	1	City Council A Session	Motion to Cont/Post	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 8

**SUBJECT:**

Zoning Case Z2014218

**SUMMARY:**

**Current Zoning:** "C-1 GC-1 MSAO-1 MLOD-1" Light Commercial Hill Country Gateway Corridor Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District

**Requested Zoning:** "C-2 GC-1 MSAO-1 MLOD-1" Commercial Hill Country Gateway Corridor Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 7, 2014

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Karen Little

**Applicant:** Robert S. Greenberg (The Bo Green LLC)

**Representative:** Kaufman & Killen, Inc.

**Location:** 21650 Milsa Drive

**Legal Description:** 2.432 acres out of NCB 35733

**Total Acreage:** 2.432

**Notices Mailed**

**Owners of Property within 200 feet:** 8

**Neighborhood Associations:** Friends of Friedrich Willderness Park

**Planning Team Members:** North Sector Plan - 42

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property, located on the southern side of Milsa Drive between Stonewall Parkway and Interstate Highway 10 West, is 2.432 acres in size. The property was annexed in December 1998, per Ordinance #88824, and was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 1999 case, the property was rezoned to "R-8" Large Lot Home District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "R-20" Residential Single Family District. In a 2010 zoning case, the property was rezoned to "C-1" Light Commercial District in order to allow a photography studio. The property is developed with a single structure measuring approximately 2,450 square feet built in 1992. The property is not platted in its current configuration.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a flood plain.

**Adjacent Zoning and Land Uses**

**Direction:** East

**Current Base Zoning:** "C-1" and "C-2"

**Current Land Uses:** Auto Dealership (Temporary Construction)

**Direction:** North

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

**Current Land Uses:** Vacant Land and Temporary Construction (Motor Vehicle Sales)

**Direction:** West

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

**Current Land Uses:** Vacant Land and Single-Family Dwelling

**Direction:** South

**Current Base Zoning:** "R-20" and "C-2 CD"

**Current Land Uses:** Single-Family Dwellings and Vacant Land

**Overlay and Special District Information:** All surrounding properties carry the "MLOD" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD" 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.

All surrounding properties carry the "MSAO-1" Camp Bullis Military Sound Attenuation Overlay District, due

to their proximity to Camp Bullis. The “MSAO-1” does not restrict permitted uses, but does enforce construction standards intended to lessen the impact of external noise from the nearby military installation. The “MSAO-1” regulations apply to new construction of habitable structures.

The Hill Country Gateway Corridor District (“GC-1”) provides site development standards for properties within 1,000 feet of Interstate 10 between UTSA Blvd and the northern City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A Certificate of Compliance review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** Interstate Highway 10 West

**Existing Character:** Expressway; 2 lanes in each direction with 2-lane access roads

**Proposed Changes:** None known

**Thoroughfare:** Milsa Drive

**Existing Character:** Local Street; one lane in each direction with no sidewalks

**Proposed Changes:** None known

**Public Transit:** There are no public transit lines near the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Food - restaurant or cafeteria - Minimum Parking Requirement: 1 parking space per 100 square feet of Gross Floor Area (GFA). Maximum Parking Requirement: one parking space per 40 square feet of Gross Floor Area (GFA).

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current light commercial zoning classification, restricting future land uses to those permissible in the “C-1” zoning district.

### **FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

### **RECOMMENDATION:**

Staff and Zoning Commission (9-0) recommend approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

#### **1. Consistency:**

The subject property is located within the North Sector Plan and is identified 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 has found no evidence of likely adverse impacts on surrounding properties in relation to this zoning change request.

## **3. Suitability as Presently Zoned:**

Both the existing and proposed zoning districts are suitable for the 2.432 acre site. The Suburban Tier land use designation includes a wide range of residential densities and commercial uses. The property's size and location on a collector street, in close proximity to an expressway and other commercial uses, makes the property suitable for commercial uses. Although the current "C-1" zoning allows restaurant uses, the existing construction does not meet the lot and building development standards of the "C-1" district (specifically, the front maximum setback and rear parking requirements).

## **4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare. Staff recognizes that much of the surrounding area is transitioning from large, rural residential uses to more of an urban/suburban setting that includes single-family residential subdivisions, multi-family development, and a wide range of retail and service uses.

## **5. Public Policy:**

The request does not appear to conflict with any established public policy. The subject property is located within both the "MSAO-1" and "MLOD-1" overlay districts due to its proximity to Camp Bullis. Any new development within the five mile area surrounding Camp Bullis must comply with the lighting standards established by the "MLOD-1", as well as the sound attenuation measures required by the "MSAO-1".

## **6. Size of Tract:**

The 2.432-acre tract is of sufficient size to accommodate the requested zoning as well as the proposed use.

## **7. Other Factors:**

The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding between Fort Sam Houston and the City of San Antonio, the Garrison Commander did not review the zoning request because the tract is smaller than 10 acres and is not immediately adjacent to Camp Bullis.

The applicant requests "C-2" as the base zoning district for the property in order to allow a food service establishment. Staff finds the requested "C-2" Commercial District zoning to be appropriate and in character with some of the surrounding zoning. Staff recognizes the subject property's close proximity to both large-lot residential zoning and uses and Friedrich Park.