



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-1359

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 2/19/2015

**Title:** ZONING CASE # Z2015011 ERZD (District 8): An Ordinance amending the Zoning District Boundary from "O-1 ERZD MLOD-1" Office Edwards Recharge Zone Military Lighting Overlay District and "O-1 ERZD MLOD-1 UC-1" Office Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District to "C-1" ERZD MLOD-1" Light Commercial Edwards Recharge Zone Military Lighting Overlay District and "C-1" ERZD MLOD-1 UC-1" Light Commercial Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 0.280 acres out of NCB 14756 and "C-2NA" ERZD MLOD-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Military Lighting Overlay District and "C-2NA" ERZD MLOD-1 UC-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 1.066 acres out of NCB 14756 all on 1.346 acres out of NCB 14756 located at 7203 Green Glen. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14083) (Continued from January 15, 2015)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015-011 Map, 2. Z2015011 ERZD\_SAWS Report, 3. ZC Minutes, 4. SAWS Report, 5. DRAFT ORDINANCE, 6. Ordinance 2015-02-19-0137

Date	Ver.	Action By	Action	Result
2/19/2015	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 8

**SUBJECT:**

Zoning Case Z2015011 ERZD

**SUMMARY:**

**Current Zoning:** "O-1 ERZD MLOD-1" Office Edwards Recharge Zone Military Lighting Overlay District and "O-1 ERZD MLOD-1 UC-1" Office Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District

**Requested Zoning:** "C-1" ERZD MLOD-1" Light Commercial Edwards Recharge Zone Military Lighting Overlay District and "C-1" ERZD MLOD-1 UC-1" Light Commercial Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 0.280 acres out of NCB 14756 and "C-2NA" ERZD MLOD-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Military Lighting Overlay District and "C-2NA" ERZD MLOD-1 UC-1" Commercial Nonalcoholic Sales Edwards Recharge Zone Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 1.066 acres out of NCB 14756

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 16, 2014

**Case Manager:** Brenda V. Martinez, Planner

**Property Owner:** Madison Realty Development Corporation (Alfred W. Rhode, III, President)

**Applicant:** Madison Realty Development Corporation (Alfred W. Rhode, III, President)

**Representative:** Kaufman & Killen, Inc. c/o Ashley Farrimond

**Location:** 7203 Green Glen Drive

**Legal Description:** 1.346 acres out Lots 18 and 19, Block 1, NCB 14756

**Total Acreage:** 1.346

**Notices Mailed**

**Owners of Property within 200 feet:** 21

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

**Planning Team:** North Sector Plan - 39

**Applicable Agencies:** The San Antonio Water System

**Property Details**

**Property History:** The subject property is currently undeveloped. The property was annexed in 1971 and was originally zoned "Temp R-1" Temporary Single-Family Residence District. In a 1981 case, a portion of the property was rezoned to "R-2" Two Family Residence District and "R-2A" Three and Four Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to "RM-4" Residential Mixed District and "R-6" Single-Family Residential District. In a 2007 case, the property was rezoned to "O-1" Office District.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North and West

**Current Base Zoning:** "R-6"

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

**Direction:** South

**Current Base Zoning:** "C-3"

**Current Land Uses:** Retail Center

**Direction:** East

**Current Base Zoning:** "MF-33" and "C-3"

**Current Land Uses:** Apartments and Restaurants

**Overlay and Special District Information:** All surrounding properties carry the "ERZD" Edwards Recharge

Zone District. The "ERZD" 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".

All surrounding properties carry the "MLOD" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD" regulates outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

A portion of the property is located in the "UC-1" IH-10/FM1604 Urban Corridor Overlay District. Properties within 200 feet of the Babcock Road right-of-way between FM 1604 and Camp Bullis Road as well as 500 feet of FM 1604 expressway between Northwest Military and Hausman Road carry the "UC-1" IH-10/FM1604 Urban Corridor District. The IH-10/FM1604 Urban Corridor regulates setbacks, screening and signage.

### **Transportation**

**Thoroughfare:** Babcock Road

**Existing Character:** Secondary Arterial Type A Street; 1 lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** Green Glen

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** Oak Grove Drive

**Existing Character:** Local Street; 1 lane in each direction

**Proposed Changes:** None known

**Thoroughfare:** North Loop 1604 West

**Existing Character:** Freeway; 10 lanes

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the number 660 line, which operates along Babcock Road and the North Loop 1604 West Access Road.

**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:** Off-street vehicle parking requirements are typically determined by the type and size of use. The rezoning application generally refers to proposed retail development. Therefore, staff cannot calculate the parking requirement at this time.

### **ISSUE:**

None

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current office zoning, restricting future land uses to those permissible in the "O-1" zoning district.

### **FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (7-1) recommend approval pending the plan amendment.

**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 currently designated as “Rural Estate Tier” in the Future Land Use Plan. A plan amendment has been initiated to change the land use designation on the subject property to “Suburban Tier”. Staff and Planning Commission recommend approval of the plan amendment request.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on surrounding properties. Staff finds the “C-1” and “C-2” districts to be appropriate given the size of the subject property and its location on an arterial thoroughfare. The requested zoning is consistent with the established surrounding zoning and pattern of development along Babcock Road and North Loop 1604 West.

Development in the “C-1” and “C-2” district requires a 15-foot Type B landscape buffer where the property abuts single-family residential zoning; and all nonresidential development is required to maintain a 6-foot tall solid screen fence where the property abuts single-family residential uses.

**3. Suitability as Presently Zoned:**

Both the current office district and the proposed commercial districts are appropriate for the area. The uses permitted in the “C-1” and “C-2” districts are compatible with the surrounding land uses and overall character of the community.

The “C-1” district accommodates neighborhood oriented retail, office or service uses that are designed to serve a smaller customer base. Building size limitations restrict the intensity in both customer and traffic volume. “C-1” uses are considered appropriate buffers between residential uses and other commercial districts and uses.

The “C-2” district accommodates commercial and retail uses that are more intensive in character than neighborhood or light commercial, and which generate a greater volume of vehicular or truck traffic. Medium intensity commercial zoning is most appropriate along arterials or major thoroughfares.

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

Staff has found no evidence of likely adverse impacts on the health, safety, and welfare of the surrounding community, provided the SAWS recommendations are adhered to.

**5. Public Policy:**

The subject property is located within the boundaries of the Camp Bullis Military Lighting Overlay District, which is a five-mile area surrounding Camp Bullis and located only within the City of San Antonio municipal boundaries. Any new development within the five mile area surrounding Camp Bullis must comply with the lighting standards established within this zoning overlay district.

**6. Size of Tract:**

The property is 1.346 acres, which is large enough to accommodate the uses permitted in the “C-1” and “C-2”

districts.

**7. Other Factors:**

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 50% on the site.

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 rezoning request because the tract is less than 10 acres in size and does not abut the installation.