



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4935

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/6/2018

**Title:** ZONING CASE # Z2018158 S ERZD (Council District 8): Ordinance amending the Zoning District Boundary from "C-3 MLOD-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "C-3 S MLOD-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for a Car Wash on Lot 5, Block 2, NCB 17842, located at 2827 Olmos Creek Drive. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan, 3. SAWS Report, 4. Zoning Minutes, 5. Draft Ordinance, 6. Ordinance 2018-09-06-0704

Date	Ver.	Action By	Action	Result
9/6/2018	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2018158 S ERZD

**SUMMARY:**

**Current Zoning:** "C-3 MLOD-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District

**Requested Zoning:** "C-3 S MLOD-1 AHOD ERZD" General Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for a Car Wash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 19, 2018

**Case Manager:** Angela Cardona, Planner

**Property Owner:** TCP- Alto Olmos Creek, LLC

**Applicant:** KLove Engineering, LLC

**Representative:** Laurie Rothman

**Location:** 2827 Olmos Creek Drive

**Legal Description:** Lot 5, Block 2, NCB 17842

**Total Acreage:** 1.314 acres

**Notices Mailed**

**Owners of Property within 200 feet:** 16

**Registered Neighborhood Associations within 200 feet:** None

**Applicable Agencies:** Texas Department of Transportation, Camp Bullis

**Property Details**

**Property History:** The property was annexed and zoned Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District by Ordinance 61615, dated December 30, 1985. The property was rezoned from Temporary "R-1 ERZD" to "B-3 ERZD" Business Edwards Recharge Zone District by Ordinance 63181, dated July 3, 1986. The property converted from "B-3" to the current "C-3 ERZD" General Commercial Edwards Recharge Zone District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Retail Center

**Direction:** South

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

**Current Land Uses:** Vacant Lot/ Gas Station

**Direction:** East

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

**Current Land Uses:** Residential

**Direction:** West

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

**Current Land Uses:** Retail Center

**Overlay and Special District Information:**

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

All surrounding properties carry the "MLOD-1" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD-1" 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 "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"

### **Transportation**

**Thoroughfare:** North West Military Highway

**Existing Character:** Primary Arterial A

**Proposed Changes:** None Known

**Thoroughfare:** Olmos Creek Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** The nearest VIA bus route is #97 and #503 are across the street of the subject property.

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

**Parking Information:** Parking requirements are determined by use. Commercial uses require a minimum vehicle space of 1.5 per 300 GFA and a maximum of 1 per 200 GFA.

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. "C-3" 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.

### **FISCAL IMPACT:**

None.

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

The subject property is not within proximity to a Regional Center or a Premium Transit Corridor.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval.

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

**1. Consistency:**

The property is located within the San Antonio International Airport Vicinity Land Use Plan and is currently designated as “Regional Commercial”. The requested base zoning district of “C-3” is consistent with the land use plan.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The subject property is surrounded by commercial uses.

**3. Suitability as Presently Zoned:**

The current “C-3” base zoning district is appropriate for the surrounding area. The San Antonio International Airport Vicinity Land Use Plan calls for “Regional Commercial”.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

Staff finds that the request is not contrary to any stated public policy objective, as the plan calls for “Regional Commercial”.

**6. Size of Tract:**

1.314 acres

**7. Other Factors:**

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 with may, under the right set of circumstances and conditions be acceptable in certain specific locations.

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.

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 May 8, 2018.

The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, the Military did review the request and has no objection.