



City of San Antonio

Legislation Details (With Text)

File #: 18-2674

Type: Zoning Case

In control: City Council A Session

On agenda: 4/19/2018

Title: ZONING CASE # Z2018107 ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-3R MLOD-1 ERZD" General Commercial Restrictive Alcoholic Sales Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District on 0.792 of an acre out of NCB 15670, located at 18195 San Pedro Avenue. Staff and Zoning Commission recommend Approval.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map, 2. Z2018107 SAWS Report, 3. Zoning Minutes, 4. Draft Ordinance, 5. Metes and Bounds, 6. Ordinance 2018-04-19-0321

Date	Ver.	Action By	Action	Result
4/19/2018	1	City Council A Session	Motion to Approve	

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 9

SUBJECT:
Zoning Case 2018107 ERZD

SUMMARY:

Current Zoning: "C-3R MLOD-1 ERZD" General Commercial Restrictive Alcoholic Sales Camp Bullis Military Lighting Overlay Edwards Recharge Zone District

Requested Zoning: "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: March 20, 2018

Case Manager: Marco Hinojosa, Planner

Property Owner: Brazos De Santos Partner, LTD

Applicant: Brazos De Santos Partner, LTD

Representative: Brown & Ortiz, P.C. (c/o Ken Brown)

Location: 18195 San Pedro Avenue

Legal Description: Lot 39, Block 9, NCB 15670

Total Acreage: 0.793

Notices Mailed

Owners of Property within 200 feet: 7

Registered Neighborhood Associations within 200 feet: NA

Applicable Agencies: Camp Bullis, Texas Department of Transportation, San Antonio Water System

Property Details

Property History: The subject property was rezoned from Temporary "R-1" ERZD Single Family Residential Edwards Recharge Zone District to "B-3R" Restrictive Business District Edwards Recharge Zone District by Ordinance 51637, dated December 20, 1979. The property converted from "B-3" to the current "C-3" General Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

Topography: The subject property is not located within the 100-year flood plain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: "C-3"

Current Land Uses: Restaurants

Direction: East

Current Base Zoning: "C-3"

Current Land Uses: Retail Center

Direction: South

Current Base Zoning: "C-3 R S"

Current Land Uses: Toyota Auto Dealership

Direction: West

Current Base Zoning: "C-3"

Current Land Uses: Restaurants

Overlay and Special District Information:

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: San Pedro Avenue

Existing Character: Highway Access Road

Proposed Changes: None Known

Public Transit: VIA bus routes are not within walking distance of the subject property.

Thoroughfare: Loop 1604

Existing Character: Highway

Proposed Changes: None Known

Public Transit: VIA bus routes are not within walking distance of 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:

Minimum vehicle space for a Fast Food Restaurant with Drive Through Lanes is 1 per 150 sf GFA

ISSUE:

None.

ALTERNATIVES:

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "C-3R". "C-3R" allows for uses such as amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales, auto muffler, hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. "C-3R" districts are identical to "C-3" districts except that the sale of alcoholic beverages is prohibited.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is located within the Stone Oak Regional Center.

RECOMMENDATION:

Staff Analysis and 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 currently designated as "Regional Center" in the future land use component of the plan. The requested "C-3" base zoning is compatible with the future land use designation. The property is maintaining the base zoning district and removing the "R" designation which restricts alcohol sales.

2. Adverse Impacts on Neighboring Lands:

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

3. Suitability as Presently Zoned:

The current “C-3R” General Commercial Restrictive Alcoholic Sales District is an appropriate zoning for the property and surrounding area. The adjacent properties are commercial properties that carry the “C-3” and “C-3R S” zoning districts.

4. Health, Safety and Welfare:

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

5. Public Policy:

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the North Sector Plan

North Sector Plan Relevant Goals and Objectives:

- Goal ED-1 Compatible economic development along major transportation routes and existing activity centers that do not interfere with the mission of Camp Bullis.
- Goal LU-3 Higher density/intensity tiers are recommended adjacent or proximate to activity centers.

6. Size of Tract:

The subject property is 0.792 acres, which would adequately support a commercial development.

7. Other Factors:

The purpose of the rezoning is to remove the “R” designation in order to allow alcohol sales a part of an existing restaurant.