



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-1111

**Type:** Zoning Case

**In control:** City Council A Session

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

**Title:** ZONING CASE # Z2015052 (District 8): An Ordinance amending the Zoning District Boundary from "I-1 MLOD" General Industrial Military Lighting Overlay District to "C-3 MLOD" General Commercial Military Lighting Overlay District on a 1.750 acre tract of land out of Lot 4, Block 1, NCB 19188 located at 5563 DeZavala Road. Staff and Zoning Commission recommend approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015-052 Location Map, 2. Z2015052 Zoning Commission Minutes, 3. DRAFT ORDINANCE, 4. Ordinance 2015-02-19-0138

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 Z2015052

**SUMMARY:**

**Current Zoning:** "I-1 MLOD" General Industrial Military Lighting Overlay District

**Requested Zoning:** "C-3 MLOD" General Commercial Military Lighting Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** January 20, 2015

**Case Manager:** Pedro Vega, Planner

**Property Owner:** ARI University Heights, LP (Alan Sher)

**Applicant:** Brittex Financial, Inc. (Chris Upton)

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

**Location:** 5563 DeZavala Road

**Legal Description:** A 1.750 acre tract of land out of Lot 4, Block 1, NCB 19188

**Total Acreage:** 1.750

**Notices Mailed**

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

**Neighborhood Associations:** None

**Planning Team Members:** North Sector Plan - 41

**Applicable Agencies:** The Camp Bullis Military Training Site

**Property Details**

**Property History:** The property was annexed in December of 1972 (Ordinance 41426), and was originally zoned "Temp R-1" Temporary Single Family Residence District. In September of 1980, the property was rezoned to "I-1" Light Industry District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "I-1" General Industrial District. The property is developed with a two structures measuring a total of 68,200 square feet in size that were built in 2000. A 1.750 acre tract of land, and being part of Lot 4, Block 1, New City Block 19188, University Heights Unit 12, platted in its current configuration on November of 1999 (volume 9545, page 89 of the Deed and Plat Records of Bexar County, Texas).

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

**Adjacent Zoning and Land Uses**

**Direction:** South and across DeZavala Road

**Current Base Zoning:** "C-3R" and "I-1"

**Current Land Uses:** Parking and Business Park

**Direction:** North

**Current Base Zoning:** "I-1"

**Current Land Uses:** Office/Warehouse and Vacant Land

**Direction:** East

**Current Base Zoning:** "I-1" and "C-3R"

**Current Land Uses:** Walmart Store

**Direction:** West

**Current Base Zoning:** "I-1"

**Current Land Uses:** Retail Center

**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.

**Transportation**

**Thoroughfare:** DeZavala Road

**Existing Character:** Secondary Arterial Type A; two lanes in each direction with center turn lanes and sidewalks.

**Proposed Changes:** None known

**Public Transit:** The nearest VIA bus line is the 648 line, which operates southwest of the subject property along Gulfdale.

**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 of uses and building size. Therefore, accurate parking requirements for the subject property cannot be determined at this time.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current general industrial zoning classification, restricting future land uses to those permissible in the "I-1" General Industrial 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 currently designated as Regional Center in the future land use component of the plan. The requested "C-3" General Commercial District is consistent with the adopted land use designation. Regional Centers accommodate the most intense commercial uses and should be located at the intersection of expressways and major arterials.

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

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request to "C-3" General Commercial District. The existing land uses are primarily office and commercial in character. The current "I-1" General Industrial District is not representative of the zoning and uses along DeZavala Road.

**3. Suitability as Presently Zoned:**

The existing "I-1" General Industrial District is not consistent with the adopted North Sector Plan Land Use Plan. Although much of the surrounding area is zoned for general industrial uses, the existing pattern of development is entirely office and commercial.

The proposed "C-3" General Commercial District is appropriate for the 1.750 acre site and surrounding properties, given the mix uses in the area. Further, the property's location along a Secondary Arterial Type A thoroughfare designed to provide linkages to expressways and primary arterials. Staff believes the "C-3" General Commercial District will be compatible with the surrounding land uses and overall character of the area.

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

Staff finds no possible negative effects on the health, safety and welfare of the surrounding lands due to the

proposed "C-3" General Commercial District. The requested General Commercial District is a beneficial down-zoning from the current General Industrial District.

**5. Public Policy:**

The requested zoning change does not appear to conflict with any public policy objectives.

The zoning change request is in accordance with the City's Master Plan. Goal 3: Create an environment of entrepreneurship, productivity and innovation in San Antonio that promotes business start-up and business growth.

**6. Size of Tract:**

The subject property is sufficient size for the uses permitted in the "C-3" General Commercial District and accommodate the existing uses, along with the typical required parking. The 1.750 acre site is part of an existing office warehouse with flex space and warehousing functions.

**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 rezoning request because the tract is south of Loop 1604 and not immediately adjacent to Camp Bullis. However, the proposed change is not anticipated to pose any negative impact on military operations or adversely affect any recreational amenities in the area.