



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1424

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/19/2014

**Title:** ZONING CASE # Z2014103 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "MF-33 PUD ERZD MLOD-1 AHOD" Multi-Family Planned Unit Development Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "C-2 ERZD MLOD-1 AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District on 9.66 acres and "O-1 ERZD MLOD-1 AHOD" Office Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District on 4.936 acres allowing a fence up to eight (8) feet in height along the eastern boundary of the 4.936 acre tract of land in accordance with Section 35-514 (d)(2)(D) of the Unified Development Code on 14.596 acres out of NCB 15009 located on a portion of the 2900 Block of West Bitters Road. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14029) (Continued from June 5, 2014)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-103, 2. Z2014103 ERZD, 3. Z2014103 ERZD\_SAWS Report, 4. Ordinance 2014-06-19-0503

Date	Ver.	Action By	Action	Result
6/19/2014	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 9

**SUBJECT:**

Zoning Case Z2014103 ERZD

**SUMMARY:**

**Current Zoning:** "MF-33 PUD ERZD MLOD-1 AHOD" Multi-Family Planned Unit Development Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District

**Requested Zoning:** "C-2 ERZD MLOD-1 AHOD" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District on 9.66 acres and "O-1 ERZD MLOD-1 AHOD" Office Edwards Recharge Zone Camp Bullis Military Lighting Overlay Airport Hazard Overlay District on 4.936 acres

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 6, 2014

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

**Property Owner:** First Presbyterian Church of San Antonio (by Rev. John H. Seiders, Executive Associate Pastor)

**Applicant:** R.L. Worth & Associates, Ltd. (by Robert L. Worth, Jr., Manager, Worthco, LLC, General Partner)

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

**Location:** A portion of the 2900 Block of West Bitters Road

**Legal Description:** 14.596 acres out of NCB 15009

**Total Acreage:** 14.596

### Notices Mailed

**Owners of Property within 200 feet:** 58

**Registered Neighborhood Associations within 200 feet:** Oakwood Owners' Association is located within 200 feet.

**Planning Team:** San Antonio International Airport Vicinity Land Use Plan (No planning team)

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

### Property Details

**Property History:** The subject property was annexed in 1993 and was originally zoned "Temp R-1" Temporary Single-Family Residence District. In a 1993 case, the property was rezoned to "R-1" Single-Family Residence District and "R-3" Multi-Family Residence District. In a 1995 case, the property was rezoned to "P-1 R-3" Planned Unit Development Multi-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the "PUD MF-33" Planned Unit Development Multi-Family District. The subject property is currently undeveloped and has a 75 foot electric easement.

**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

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

**Current Land Uses:** Vacant Land, Bank, and Offices

**Direction:** South, East and West

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

**Current Land Uses:** Single-Family Residences, Club House and Tennis Court

**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 "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.

The majority of properties in the area carry the "PUD" Planned Unit Development designation. Planned Unit Developments provide flexibility in development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties; while preserving natural amenities and features of a site and providing for a minimum amount of open space. PUDs provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure; encourage infill projects and development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography.

### **Transportation**

**Thoroughfare:** West Bitters Road

**Existing Character:** Secondary Arterial Type A Street; 2 lanes in each direction with a center median

**Proposed Changes:** None known

**Thoroughfare:** Ashton Village Drive

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

**Proposed Changes:** None known

**Public Transit:** There is no mass transit service currently available to the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required, but may be deferred until the platting/permitting phase of development. A traffic engineer must be present at the zoning commission meeting.

**Parking Information:** Off street parking requirements are typically determined by the type and size of use. The Traffic Impact Analysis refers to an office use.

Professional Office - Minimum Parking Requirement: 1 space per 300 square feet of Gross Floor Area (GFA).

Maximum Parking Requirement: 1 space per 140 square feet of GFA.

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the zoning request will result in the subject property retaining the existing multi-family zoning designation.

### **FISCAL IMPACT:**

None. The applicant has paid the required zoning fees

### **RECOMMENDATION:**

Staff and Zoning Commission (7-2) 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 San Antonio International Airport Vicinity Land Use Plan and is currently designated as “Public Institutional” in the Future Land Use Plan. A plan amendment has been initiated to change the land use designation on the subject property to “Community Commercial”. 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 neighboring lands in relation to this zoning change request. Medium intensity commercial zoning is most appropriate along arterials or major thoroughfares. Further, the requested “O-1” district will serve as a buffer between the proposed commercial development and the residential uses located east of the subject property. Development in the “O-1” 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:**

The existing “MF-33” zoning district is appropriate for the subject property due to the property’s location and significant frontage along West Bitters Road. Medium density residential uses should be located along arterial thoroughfares at the periphery of single-family residential neighborhoods and can be an appropriate transition between commercial development and low-density residential uses.

### **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 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 subject property is 14.596 acres in size, and is large enough to accommodate uses permitted in the “C-2” and “O-1” districts, required parking, and development standards such as building setbacks and landscape buffers.

Should the subject property be developed under the current “MF-33” designation, the subject property could possibly accommodate a multi-family development with up to approximately 481 dwelling units.

### **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 65% on the site.

The applicant requests an 8-foot fence along the eastern boundary of the 4.936 acre tract of land. According to Section 35-514 (d)(2)(D) “additional fence height is permitted by the City Council pursuant to a rezoning or Specific Use Authorization.”

