



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1940

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/18/2014

**Title:** ZONING CASE # Z2014180 S ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-3 MSAO-1 MLOD-1 ERZD" General Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-3 S MSAO-1 MLOD-1 ERZD" General Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Specific Use Authorization for a Construction Contractor Facility on Lots 15 and 18, Block 11, NCB 19216 located on a portion of the 20900 - 21000 Blocks of Gathering Oak. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14059)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2014-180, 2. Z2014180 S ERZD\_SAWS Report, 3. Z2014180 S ERZD\_Site Plan, 4. Z2014180 S ERZD, 5. 14-1940 Z2014180 S ERZD DRAFT ORDINANCE, 6. Ordinance 2014-09-18-0725

| Date      | Ver. | Action By              | Action            | Result |
|-----------|------|------------------------|-------------------|--------|
| 9/18/2014 | 1    | City Council A Session | Motion to Approve | Pass   |

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 9

**SUBJECT:**

Zoning Case Z2014180 S ERZD

**SUMMARY:**

**Current Zoning:** "C-3 MSAO-1 MLOD-1 ERZD" General Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District

**Requested Zoning:** "C-3 S MSAO-1 MLOD-1 ERZD" General Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Specific Use Authorization for a Construction Contractor Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 19, 2014

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

**Property Owner:** Productive Management Partners, Ltd. (by Norman Reitmeyer, Manager, Productive Management Services, LLC, General Partner)

**Applicant:** Productive Management Partners, Ltd. (by Norman Reitmeyer, Manager, Productive Management Services, LLC, General Partner)

**Representative:** P.W. Christensen, PC (c/o Patrick W. Christensen)

**Location:** Portion of the 20900 - 21000 Blocks of Gathering Oak

**Legal Description:** Lots 15 and 18, Block 11, NCB 19216

**Total Acreage:** 0.833

**Notices Mailed**

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

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

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

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

**Property Details**

**Property History:** The subject property is currently undeveloped and was annexed in 1997. The property was originally zoned "Temp R-1" Temporary Single-Family Residence District. In a 1998 zoning case, the subject property was rezoned to "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-3" General Commercial District. The property is platted as two lots and is currently undeveloped.

**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:** "C-3"

**Current Land Uses:** Child Development Center, Office and Vacant Land

**Direction:** South

**Current Base Zoning:** "C-3" and "C-2"

**Current Land Uses:** Children's Learning Center and a Retail Center

**Direction:** East

**Current Base Zoning:** "R-6" and "C-2"

**Current Land Uses:** Vacant Land and a Library

**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-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 "MSAO-1" Camp Bullis Military Sound Attenuation Overlay District, due to their proximity to Camp Bullis. The "MSAO-1" does not restrict permitted uses, but does enforce construction standards intended to lessen the impact of external noise from the nearby military installation. The "MSAO-1" regulations apply to new construction of habitable structures.

### **Transportation**

**Thoroughfare:** Gathering Oak

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

**Proposed Changes:** None known

**Thoroughfare:** Ranch Oaks

**Existing Character:** Local 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 is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** Off-street vehicle parking requirements for Contractor Facilities are determined by building size. Minimum Parking Requirement: 1 space per 1,500 square feet of Gross Floor Area (GFA); Maximum Parking Requirement: 1 space per 300 square feet of GFA.

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning designation; restricting future land uses to those permissible in the C-3 zoning district.

### **FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

### **RECOMMENDATION:**

Staff and Zoning Commission (9-1) 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 designated as "Rural Estate Tier" in the future land use component of the plan. The applicant has requested a plan amendment for a "Regional Center" land use classification for the property. 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. The majority of surrounding

properties fronting along Gathering Oak are zoned for commercial uses. Further, the site is located in an area where there is traffic circulation to major thoroughfares, Wilderness Oak and Blanco Road. The proposed zoning is appropriate given the location and proximity to the commercial node.

**3. Suitability as Presently Zoned:**

The existing “C-3” base zoning district is not consistent with the adopted future land use designation.

**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 property is located within the Camp Bullis Military Sound Attenuation Overlay District, which will require noise mitigation built into the proposed development to minimize the effect of sound from the Camp Bullis training site.

**6. Size of Tract:**

The subject property is 0.833 acres, which should be able to reasonably accommodate the proposed use.

**7. Other Factors:**

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

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 Camp Bullis.