



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-5592

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/1/2016

**Title:** ZONING CASE # Z2016270 CD S ERZD (Council District 9): An Ordinance assigning zoning for properties located "OCL" Outside City Limits to "MXD" Mixed Use District, "NP-15" Neighborhood Preservation District, "C-2" Commercial District, "C-3" General Commercial District, "MF-18" Limited Density Multi-Family District, "MF-25" Low Density Multi-Family District, "O-1.5" Mid Rise Office District, "R-20" Residential Single-Family District, "R-6" Residential Single-Family District, "RE" Residential Estate District, "RP" Resource Protection District, "C-1 S" Light Commercial District with Specific Use Authorization for a Wireless Communication System, "C-2 CD" Commercial District with Conditional Use for a Movie Theater, "C-2 CD S" Commercial District with Conditional Use and Specific Use Authorization for a Machine Shop, "C-2 CD" Commercial District with Conditional Use for a Home Improvement Center with Outside Storage and Grocery Store, "C-2 CD" Commercial District with Conditional Use for Motor Vehicle Sales (Full Service), "C-2 CD" Commercial District with Conditional Use for a Carwash, "C-2 CD" Commercial District with Conditional Use for Feed, Seed, and Fertilizer Sales (With Outdoor Storage Permitted), "C-2 CD S" Commercial District with Conditional Use and Specific Use Authorization for a Carwash, "C-2 CD" Commercial District with Conditional Use for Motor Vehicle Sales, "C-2 CD S" Commercial District with Conditional Use and Specific Use Authorization for Boat and Marine – Storage (Outside Permitted), "C-2 CD" Commercial District with Conditional Use for Landscaping Materials – Sales and Storage, "C-2 CD S" Commercial District with Conditional Use and Specific Use Authorization for a Micro-distillery, "C-2 CD S" Commercial District with Conditional Use and Specific Use Authorization for Metal Products Fabrication, "C-3 CD S" General Commercial District with Conditional Use and Specific Use Authorization for Oversized Vehicle Sales, Service, or Storage and Boat and Marine Storage, "C-2 S" Commercial District with Specific Use Authorization for a Hospital, "C-2 S" Commercial District with Specific Use Authorization for a Hotel, "C-2 S" Commercial District with Specific Use Authorization for a Wireless Communication System, "C-2 S" Commercial District with Specific Use Authorization for a Golf Driving Range, "C-2 S" Commercial District with Specific Use Authorization for a Funeral Home or Undertaking Parlor and overlay Districts of "ERZD" Edwards Recharge Zone District, MLOD-1" Military Lighting Overlay District 1, and creating and assigning the "GC-3" US 281 North Gateway Corridor District, as applicable, located in the US 281 North Corridor Area consisting of approximately 1.9 square miles (1,224 acres) of San Antonio's Extraterritorial Jurisdiction (ETJ), being a variable width of up to 4,000 feet along the U.S. 281 North right-of-way, beginning at the City limits of San Antonio south of Marshall Road and Northwind Boulevard in Bexar County and continuing north along U.S. 281 North to approximately 1,830 feet south of Ancestral Trail in Comal County.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016270 CD S ERZD, 2. GC-3 US 281 North Corridor Design Requirements, 3. Proposed Zoning by Property, 4. Field Notes for R-6 Parcel, 5. Draft Ordinance.pdf, 6. Zoning Maps and Exhibits, 7. Ordinance 2016-12-01-0902

Date	Ver.	Action By	Action	Result
12/1/2016	1	City Council A Session	Motion to Appr w Cond	Pass

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED: 9**

**SUBJECT:**

Zoning Case Z201670 CD S ERZD  
(Associated Plan Amendment 16082)

**SUMMARY:**

**Current Zoning:** “OCL” Outside City Limits

**Requested Zoning:** “MXD” Mixed Use District, “NP-15” Neighborhood Preservation District, “C-2” Commercial District, “C-3” General Commercial District, “MF-18” Limited Density Multi-Family District, “MF-25” Low Density Multi-Family District, “O-1.5” Mid Rise Office District, “R-20” Residential Single-Family District, “R-6” Residential Single-Family District, “RE” Residential Estate District, “RP” Resource Protection District, “C-1 S” Light Commercial District with Specific Use Authorization for a Wireless Communication System, “C-2 CD” Commercial District with Conditional Use for a Movie Theater, “C-2 CD S” Commercial District with Conditional Use and Specific Use Authorization for a Machine Shop, “C-2 CD” Commercial District with Conditional Use for a Home Improvement Center with Outside Storage and Grocery Store, “C-2 CD” Commercial District with Conditional Use for Motor Vehicle Sales (Full Service), “C-2 CD” Commercial District with Conditional Use for a Carwash, “C-2 CD” Commercial District with Conditional Use for Feed, Seed, and Fertilizer Sales (With Outdoor Storage Permitted), “C-2 CD S” Commercial District with Conditional Use and Specific Use Authorization for a Carwash, “C-2 CD” Commercial District with Conditional Use for Motor Vehicle Sales, “C-2 CD S” Commercial District with Conditional Use and Specific Use Authorization for Boat and Marine - Storage (Outside Permitted), “C-2 CD” Commercial District with Conditional Use for landscaping Materials - Sales and Storage, “C-2 CD S” Commercial District with Conditional Use and Specific Use Authorization for a Micro-distillery, “C-2 CD S” Commercial District with Conditional Use and Specific Use Authorization for Metal Products Fabrication, “C-3 CD S” General Commercial District with Conditional Use and Specific Use Authorization for Oversized Vehicle Sales, Service, or Storage and Boat and Marine Storage, “C-2 S” Commercial District with Specific Use Authorization for a Hospital, “C-2 S” Commercial District with Specific Use Authorization for a Hotel, “C-2 S” Commercial District with Specific Use Authorization for a Wireless Communication System, “C-2 S” Commercial District with Specific Use Authorization for a Golf Driving Range, “C-2 S” Commercial District with Specific Use Authorization for a Funeral Home or Undertaking Parlor and Overlay Districts of “ERZD” Edwards Recharge Zone District, and MLOD-1” Military Lighting Overlay District 1, and creating and assigning the “GC-3” US 281 North Gateway Corridor District, as applicable.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 18, 2016

**Case Manager:** Logan Sparrow, Principal Planner

**Property Owner:** Multiple property owners.

**Applicant:** City of San Antonio as part of the proposed annexation

**Representative:** City of San Antonio

**Location:** Located at multiple addresses

**Legal Description:** Approximately 1.9 square miles (1,224 acres) in Bexar County and Comal County, Texas (save and except certain properties as indicated on attachment)

**Total Acreage:** Approximately 1,224

#### **Notices Mailed**

**Owners of Property within 200 feet:** 683

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

**Applicable Agencies:** Northeast Independent School District, Camp Bullis, San Antonio Water System

#### **Property Details**

**Property History:** The area included is contained within the North Sector Plan. The area is included in the proposed US 281 North Corridor annexation area. The Department of Planning and Community Development have created an online interactive map allowing interested persons the ability to search for the proposed zoning specific to each property. The link to that interactive map is below:

[<https://tempgis.sanantonio.gov/ProposedAnnexation/viewer/view.html>](https://tempgis.sanantonio.gov/ProposedAnnexation/viewer/view.html)

**Topography:** Some properties are included in the 100 year flood plain area. Also, several properties will be included in the Edwards Recharge Zone District.

**Overlay and Special District Information:** Several properties are proposed for "ERZD" designation, which 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."

Several properties are proposed for "MLOD-1" Military Lighting Overlay District designation, 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 proposed "GC-3" US 281 North Gateway Corridor does not restrict permitted uses, but does require that development along the corridor adhere to specific design regulations meant to enhance the character of the US 281 North Corridor area.

#### **Transportation**

**Thoroughfare:** US Highway 281 North

**Existing Character:** Highway

**Proposed Changes:** The Texas Department of Transportation (TxDOT), in partnership with the Alamo Regional Mobility Authority (RMA) has undertaken a project to expand capacity of US 281 North along eight miles between US Loop 1604 and Borgfeld Road, south of the Bexar-Comal County Line. Plans will increase the roadway capacity from 4 to 10 total lanes (including 2 HOV lanes) from Stone Oak to Borgfeld.

**Public Transit:** VIA does not operate transit routes in this area.

#### **ISSUE:**

Because the agreement of first responder fire protection between the City of San Antonio and Bexar-Bulverde Volunteer Fire Department and Emergency Service District (ESD) No. 3 will serve properties within Bexar County, staff is recommending that City Council save and except the 37 properties in Comal County from

annexation, resulting in no zoning being assigned to the Comal County parcels. (see attachment)

**ALTERNATIVES:** Denial of the proposed zoning would result in the property being assigned “DR” Development Reserve District zoning. This district was established to act as a temporary zoning designation until newly annexed properties are rezoned.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-0) recommend Approval, pending Plan Amendment (save and except properties within Comal County, consisting of 37 parcels totaling approximately 184.6 acres.)

**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 North Sector Plan. The requested zoning districts are consistent with either the current land use designations, or those further described in the associated plan amendment request. All proposed zoning is in keeping with the existing development patterns within those areas and factored in current Master Development Plans (MDP’s), plats, meetings with property owners, and the San Antonio thoroughfare plan.

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

Staff has found no evidence of likely adverse impacts on surrounding properties in relation to this zoning request. The proposed zoning factored in the ability of the local street network to support growth, as well as proximity to established uses.

**3. Suitability as Presently Zoned:**

Currently, all included properties are “OCL” Outside City Limits and are not zoned.

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

Staff has found no indication of likely adverse effects on the public health, safety, or welfare in relation to the zoning proposal. The proposed zoning will help to create more organized development along the corridor and will extend protections over the Edwards Recharge area.

**5. Public Policy:**

With the expansion of the US 281 corridor by the Texas Department of Transportation to a 10 lane facility and the anticipated future commercial development, the property fronting US 281 will benefit from a corridor overlay district similar to the Hill Country Gateway along IH-10 West. Extending the GC-3 US 281 North Corridor Gateway District to a width of 1,000 feet along U.S. 281 will provide development standards to regulate the appearance of businesses along the roadway, protect public investments made to US 281, and preserve and enhance property values. This district will enhance and shape the built environment along this highway as conditions are likely to change dramatically with the expansion of the roadway. As the annexation area continues to develop, land use, zoning, and overlay districts all stand to play a critical role in retaining the character that has made these areas so appealing to new and longtime residents. On August 1, 2015, the GC-3 corridor district and plan was exhibited at an Annexation Open House at Frank Tejada Middle School, where public comments were invited. Additionally, the proposed overlay district and corridor plan were posted on the Annexation web site for public viewing. The CG-3 supports the following goals of the North Sector Plan, adopted on August 5, 2010, as a component of the City’s Comprehensive Plan:

- LU-5.3 Enhance the built environment through urban design;

- LU-6.5 Encourage visually and functionally compatible development with surrounding neighborhoods;
- LU-6.3 Designate and mark gateway points at major entrances to the Sector/City;
- NR- 5-2 Preserve wildlife, historic trails and scenic corridors;
- NR-5.4 Ensure that new development respects Hill County heritage through preservation of architectural context.

**6. Size of Tract:**

The subject properties total approximately 1224 acres in size. The proposed zoning districts are consistent with the size of individual parcels being zoned.

**7. Other Factors:**

The area is part of the proposed 2016 Annexation program for the US Highway 281 Corridor.