



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4134

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 8/2/2018

**Title:** ZONING CASE # Z2018136 (Council District 8): Ordinance amending the Zoning District Boundary from "RE MLOD-1 MSAO-1" Residential Estate Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay District to "C-2NA MLOD-1 MSAO-1" Commercial Nonalcoholic Sales Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay on 3.60 acres out of CB 4719, located at 19389 Babcock Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 18043) (Continued from June 21, 2018)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map - Updated July 26 2018, 2. Zoning Minutes, 3. Draft Ordinance, 4. Field Notes, 5. Ordinance 2018-08-02-0601

Date	Ver.	Action By	Action	Result
8/2/2018	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2018136  
(Associated Plan Amendment 18043)

**SUMMARY:**

**Current Zoning:** "RE MLOD-1 MSAO-1" Residential Estate Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay District

**Requested Zoning:** "C-2NA MLOD-1 MSAO-1" Commercial Nonalcoholic Sales Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** June 19, 2018. This case is continued from the April 17, 2018 and May 1, 2018 Zoning hearings.

**Case Manager:** Nyliah Acosta, Planner

**Property Owner:** Heritage Montessori Academy, LLC

**Applicant:** Alvin G. Peters

**Representative:** Alvin G. Peters

**Location:** 19389 Babcock Road

**Legal Description:** 3.60 acres out of CB 4719

**Total Acreage:** 3.60

**Notices Mailed**

**Owners of Property within 200 feet:** 8

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

**Applicable Agencies:** Camp Bullis, Planning Department

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 2017 and zoned "RE" Residential Estate District, by Ordinance 2017-08-31-0624.

**Topography:** A portion of the property is within the 100 year floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** R-6, MF-33, MF-18, C-2

**Current Land Uses:** Apartments

**Direction:** East

**Current Base Zoning:** R-6, RE

**Current Land Uses:** Vacant Lots

**Direction:** South

**Current Base Zoning:** None

**Current Land Uses:** Single-Family Residences

**Direction:** West

**Current Base Zoning:** RE, C-2 S

**Current Land Uses:** Vacant Lot, Gas Station

**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 "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:** Babcock Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Heuermann Road

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Thoroughfare:** Kyle Seale Parkway

**Existing Character:** Secondary Arterial

**Proposed Changes:** None Known

**Public Transit:** There are no VIA routes within walking distance of the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. The traffic generated by the proposed development exceeds the threshold requirements.

**Parking Information:** Multi-Family- Minimum 1.5 per unit. Retail- Minimum 1 per 300 sf of GFA. Office- Minimum 1 per 300 sf GFA

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current base zoning district. Single-family dwelling (detached) with a minimum lot size of one acre (43,560 square feet) and a minimum lot width of 120 feet, accessory dwelling, public and private schools are allowed in the "RE" district.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is not within a Regional Center or a Premium Transit Corridor.

**Staff Analysis and Recommendation:** Staff recommends Approval, pending Plan Amendment. Zoning Commission recommendation pending the June 19, 2018 hearing.

**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, and is currently designated as "Rural Estate Tier" in the future land use component of the plan. The requested "C-2" Commercial zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to change the future land use from "Rural Estate Tier" to "Mixed Use". Staff and the Planning Commission recommend Approval.

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

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

The applicant proposes to develop the property for retail, a daycare, and apartments.

**3. Suitability as Presently Zoned:**

The current “RE” base zoning district is no longer a trend in the current development pattern. The “C-2” Commercial district will offer a concentrated use of retail, office, services, and residential uses and is more in line with the characteristic of the neighborhood. The added “NA” Nonalcoholic Sales designation will restrict the sale of alcohol.

**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 rezoning request does not appear to conflict with any public policy objective.

**6. Size of Tract:**

The subject property totals 3.60 acres in size, which accommodates the uses permitted in “C-2” Commercial District.

**7. Other Factors:**

The zoning change application has been reviewed by Joint Base San Antonio (JBSA) Camp Bullis organizations. JBSA has no objection, however the following comments are to be addressed during the development process:

a. There is documented GCWA and karst invertebrates near this site within the city’s Woodlawn Hills and Friedrich Wilderness Park. The habitat compliance form is not due until the platting stage. GCWA and karst invertebrate surveys should be done and results sent to UDFWS before any land clearing is done.

b. "2011 USFWS Recovery Plan for Bexar County Karst Invertebrates: “Zone 2. Areas having a high probability of containing habitat suitable for listed invertebrate karst species.”

c. North Sector Plan (2010)

- "Objective 8: Avoid Golden-cheeked Warbler endangered species displacement. Developers seeking permits to develop property in excess of two acres will be required to submit a San Antonio Habitat Certification which requires a signed and notarized affidavit attesting to compliance with the Endangered Species Act. If analysis demonstrates that a development proposal will likely lead to the dislocation of Golden-cheeked Warblers, developers will prepare a mitigation plan commensurate with the impact.”

- Objective 7: To comply with the Endangered Species Act and prevent the reduction of karst invertebrate habitat. If the karst feature is disturbed by development, direct/indirect contamination, or changes to water flow/water availability, the species may be lost at that location. Additionally, karst invertebrates are an indicator of water quality and quantity.

f. To mitigate potential interference with existing JBSA operational systems, please coordinate with 502 CS Spectrum Manager prior to use of any Spectrum dependent systems (i.e.: two-way radio communications, or any type of wireless technologies) during construction. If applicable, coordination is also requested by facility user prior to installation/use of any Spectrum dependent commercial or manufacturing equipment.

