



# City of San Antonio

## Legislation Details (With Text)

**File #:** 13-821

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/21/2013

**Title:** ZONING CASE # Z2013132 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "R-6 MSAO-1 MLOD-1 ERZD" Residential Single-Family Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-2NA MSAO-1 MLOD-1 ERZD" Commercial Nonalcoholic Sales Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District on Lot 28, Block 31, NCB 19215 located on a portion of the 22000 Block of Wilderness Oak. Staff and Zoning Commission recommend approval. (Continued from November 7, 2013)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2013-132, 2. Z2013132 ERZD, 3. Z2013132 ERZD\_SAWS, 4. Draft Ordinance, 5. Ordinance 2013-11-21-0830

Date	Ver.	Action By	Action	Result
11/21/2013	1	City Council A Session		
11/7/2013	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 9

**SUBJECT:**

Zoning Case Z2013132 ERZD

**SUMMARY:**

**Current Zoning:** "R-6 MSAO-1 MLOD-1 ERZD" Residential Single-Family Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Edwards Recharge Zone District

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

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 20, 2013

**Case Manager:** Ernest Brown, Planner

**Property Owner:** DOMI Developers, LLC (by Elsa R. Parker, Manager)

**Applicant:** DOMI Developers, LLC (by Elsa R. Parker, Manager)

**Representative:** P.W. Christensen, P.C. (Patrick Christensen)

**Location:** A portion of the 22000 Block of Wilderness Oak

**Legal Description:** Lot 28, Block 31, NCB 19215

**Total Acreage:** 1.6086

### **Notices Mailed**

**Owners of Property within 200 feet:** 26

**Neighborhood Associations:** SA Remington Heights Homeowners Association; the Forest at Stone Oak Homeowners Association is located within 200 feet.

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

**Applicable Agencies:** San Antonio Water System (SAWS), Camp Bullis Military Training Site

### **Property Details**

**Property History:** The subject property was annexed in 1997 and was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 1998 City-initiated case, the property was rezoned "R-1" Single Family Residence District. Upon the adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "R-6" Residential Single-Family District. The subject property was platted into its current configuration in 2004 (volume 9562, page 142). The property is undeveloped.

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

### **Adjacent Zoning and Land Uses**

**Direction:** All

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

**Current Land Uses:** Single Family Residences and Drainage Rights-of-Way

**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 "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.

All surrounding properties carry the "MLOD" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD" 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:** Wilderness Oaks

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

sidewalks

**Proposed Changes:** None Known

**Thoroughfare:** Tornillo Drive, Llano Sound, and Nueces Spring

**Existing Character:** Local Streets; one lane in each direction with sidewalks

**Proposed Changes:** None Known

**Public Transit:** There are no public transit lines near the subject property.

**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 and size of use. The rezoning application generally refers to proposed office and retail uses. Therefore, staff cannot calculate the parking requirement at this time.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the zoning request will result in the subject property retaining the existing zoning.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (9-1) 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 Suburban Tier in the future land use component of the plan. The requested "C-2" Commercial District is consistent with the adopted land use designation.

**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. The property is surrounded by residential zoning, which will trigger building setbacks, landscape buffer, and fence requirements for any new construction. Development in the "C-2" district will require 10-foot side and 30-foot rear building setbacks; a Type B, 15-foot landscape buffer where abutting single-family residential zoning; and a 6-foot tall solid screen fence where abutting existing single-family residential uses.

**3. Suitability as Presently Zoned:**

The existing residential zoning is not appropriate for the subject property. New residential development is not likely on the subject property due to the property's location on a major thoroughfare. The property may be accessed only from Wilderness Oak due to a 1-foot non-access easement along Tornillo Drive.

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

The attached SAWS report outlines potential general environmental concerns. Staff has found no evidence of

likely adverse impacts on the health, safety and welfare of the surrounding community, provided the SAWS recommendations are followed.

**5. Public Policy:**

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

**6. Size of Tract:**

The subject property measures 1.3227 acres in size, which is sufficient to accommodate commercial development and required parking. The size of the tract, required development standards, and impervious cover regulations will limit the scale of development on the site.

**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, zoning staff is not required to provide the Military with a copy of the zoning request because the subject property is less than 10 acres in size and does not abut the military installation.

SAWS identifies the subject property as a Category 2 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 50% on the site.