



# City of San Antonio

## Agenda Memorandum

**File Number:** 13-1273

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**Agenda Item Number:** Z-16.

**Agenda Date:** 1/16/2014

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** Council District 9

**SUBJECT:**

Zoning Case Z2013217 ERZD

**SUMMARY:**

**Current Zoning:** "C-3 ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "C-3 S ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for Business Uses

**Requested Zoning:** "MF-33 ERZD MLOD-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 17, 2013

**Case Manager:** Pedro Vega, Planner

**Property Owner:** Santikos Legacy, Ltd. (by John L. Santikos, Director, Santikos Income Property, LLC, General Partner)

**Applicant:** Embrey Partners, Ltd. (by John Kirk, Vice President, EPL-GP, LLC, General Partner)

**Representative:** Kaufman & Killen, Inc.

**Location:** Portions of the 1800 and 1900 Blocks of East Sonterra Boulevard, the 1800 Block of North Loop 1604 East, and the 18400 Block of North US Highway 281

**Legal Description:** 9.654 acres out of Lots 2, 5 and 7, Block 4, NCB 15671

**Total Acreage:** 9.654

## **Notices Mailed**

**Owners of Property within 200 feet:** 13

**Neighborhood Associations:** None

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

**Applicable Agencies:** The San Antonio Water System and The Camp Bullis Military Training Site

## **Property Details**

**Property History:** The subject property was annexed in December of 1984 and was originally zoned "Temp R -1" Temporary Single Family Residence District. In a 1985 case, the property was rezoned to "B-3" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3" General Commercial District. The 9.654-acre site consists of portions of three platted lots, but is not platted in its current configuration (Volume 9564, Pages 150-155 of the Bexar County Plat Records). The property is currently 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:** "C-3" and "C-3 S"

**Current Land Uses:** Retail Center, Fitness Center, Parking, Hotel and Vacant Land

**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" Military Lighting Overlay District, due to their proximity to Camp Bullis. The "MLOD" regulates outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

## **Transportation**

**Thoroughfare:** East Sonterra Boulevard

**Existing Character:** Secondary Arterial Type A 120'; two lanes in each direction without sidewalks

**Proposed Changes:** None known

**Public Transit:** There are no public transit lines that serve the subject property. The nearest VIA line is the 648, which operates along East Sonterra Boulevard west of North US Highway 281.

**Traffic Impact:** A traffic impact analysis is required but may be deferred until the platting or permitting stage of development. A traffic engineer with knowledge of the project must be present at the Zoning Commission

**Parking Information:** Off-street vehicle parking requirements for multi-family dwellings are a minimum of 1.5 spaces per dwelling unit and a maximum of 2 spaces per unit.

## **ISSUE:**

None.

## **ALTERNATIVES:**

A denial of the zoning request will result in the subject property retaining the existing commercial designation, prohibiting the proposed multi-family development.

**FISCAL IMPACT:**

None. The applicant has paid the required zoning fees.

**RECOMMENDATION:**

Staff and Zoning Commission (8-0) recommend approval.

**1. Consistency:**

The property is located within the North Sector Plan and is currently designated as Regional Center in the future land use component of the plan. Regional Center includes a range of use classifications from high density dwellings to intense commercial uses. The “MF-33” Multi-Family District is consistent with the future land use designation.

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

Staff has found no evidence of likely adverse impacts on neighboring lands. Surrounding properties carry intense commercial zoning.

**3. Suitability as Presently Zoned:**

Both the current “C-3” and proposed “MF-33” are appropriate for the 9.654-acre site. Given the location of the subject property near both the Loop 1604 and Highway 281 corridors, and the prevalence of commercial zoning and land uses in the immediate vicinity, the proposed land use may be considered consistent and compatible with the development patterns of this area.

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

Staff has found no evidence of likely adverse impacts on the health, safety, and welfare in relation to this zoning change request, 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.

The request does not appear to conflict with any public policy objective. The request is consistent with the future land use component of the North Sector Plan, which is a component of the City’s Master Plan.

**6. Size of Tract:**

The subject property is 9.654 acres in size, which should be able to accommodate the proposed multi-family development with adequate space for parking. Should the rezoning request be approved, the subject property size would allow a maximum of 318 dwelling units. The rezoning application does not indicate the number of proposed dwelling units.

**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, the Military did not review the zoning request because the property is less than 10 acres in size and does not abut Camp Bullis.

SAWS Summary:

The property is classified as a Category 1 property.

No sensitive geologic features were observed on the site.

The impervious cover shall not exceed 50% for the entire site.

SAWS staff recommends approval.