



City of San Antonio

Agenda Memorandum

File Number: 14-1257

Agenda Item Number: Z-21.

Agenda Date: 6/19/2014

In Control: City Council A Session

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Council District 9

SUBJECT:

Zoning Case Z2014138 S ERZD

SUMMARY:

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

Requested Zoning: "C-3NA S ERZD MLOD-1" General Commercial Nonalcoholic Sales Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for a Construction Contractor Facility on 3.904 acres and "I-1 S ERZD MLOD-1" General Industrial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Specific Use Authorization for a Construction Contractor Facility on 3.511 acres

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: May 20, 2014

Case Manager: John Osten, Senior Planner

Property Owner: Hills Subdivision Partnership, LTD

Applicant: City of San Antonio

Representative: City of San Antonio, Development Services Department

Location: 18952 Redland Road

Legal Description: Lot 2 NCB 17866

Total Acreage: 7.415

Notices Mailed

Owners of Property within 200 feet: 11

Registered Neighborhood Associations within 200 feet: Redland Ridge Association

Planning Team: North Sector Plan - 39

Applicable Agencies: San Antonio Water Systems

Property Details

Property History: The subject property was annexed in 1985 and was originally zoned “Temp R-1” Temporary Single-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to “R-6” Residential Single-Family District. The property was platted into its current configuration in 1970 (Volume 8500, Page 155 in the Deed and Plat Records of Bexar County, Texas). The subject property is developed with a child learning center, couple of office suites, awning company and construction contractor facility.

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: North, South and West

Current Base Zoning: “R-6”

Current Land Uses: Farm, Vacant and Boat/RV Park

Direction: East

Current Base Zoning: “C-3NA S”

Current Land Uses: Construction contractor facility

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” 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: Redland Road

Existing Character: Secondary Arterial Type A 86’; one lane in each direction with shoulders.

Proposed Changes: None known

Public Transit: There are no public transit lines in the area.

Traffic Impact: A Traffic Impact Analysis (TIA) is not required.

Parking Information: Off-street vehicle parking requirements for Construction Contractor Facility are determined by the Gross Floor Area (GFA) of the use.

Construction Contractor Facility - Minimum Parking Requirement: 1 space per 1,500 square feet of Gross Floor Area (GFA). Maximum Parking Requirement: 1 space per 300 square feet per GFA.

ISSUE:

None.

ALTERNATIVES:

A denial of the zoning request will result in the subject property retaining the existing residential zoning designation, and the proposed uses will be prohibited.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff recommends denial with an alternate recommendation for “C-2NA CD S ERZD MLOD-1” Commercial Nonalcoholic Sales Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Conditional Use and a Specific Use Authorization for a Construction Contractor Facility. Zoning Commission (6-2) recommends approval pending the plan amendment as requested.

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 Suburban Tier in the future land use component of the plan. The requested “C-3NA” and “I-1” base zoning districts are not consistent with the adopted land use plan. A plan amendment has been submitted, requesting to change the future land use designation to Regional Center and Specialized Center. Staff recommends denial; Planning Commission recommends approval of the request.

2. Adverse Impacts on Neighboring Lands:

The subject property is already in use with various nonresidential uses, including a construction contractor facility. The requested zoning change will bring the zoning district into compliance with the current uses on the property. Therefore, no additional impact on neighboring lands is expected.

3. Suitability as Presently Zoned:

The existing “R-6” zoning district may not be appropriate for the subject property due to the property’s location along Redland Road. The Suburban Tier land use designation accommodates a wide range of residential and commercial uses. Within the Suburban Tier, the more intense land uses are encouraged along arterial thoroughfares, in areas that are easily accessible by nearby residents.

4. Health, Safety and Welfare:

High intensity uses that are allowed in industrial zoning districts are not generally considered compatible with residential uses. There may be adverse impacts on surrounding residents’ health, safety and welfare due to the nature of potential noxious uses that are allowed in industrial zoning districts.

5. Public Policy:

The location of the subject property does not meet the criteria for Regional Center or Specialized Center in the North Sector Plan. The plan requires high intensity uses to be located at major intersections of arterials or close to Expressways. The requested zoning is too intense for this location. Additionally, the existing uses may be accommodated in the “C-2” base zoning district, without requiring a plan amendment.

6. Size of Tract:

The subject property is approximately 7.145 acres in size, which is able to reasonably accommodate existing uses.

7. Other Factors:

In August 2006, the subject property owner obtained a Zoning Verification Letter from the Development Services Department of the City of San Antonio stating that the subject property was zoned “C-3NA S ERZD” and “I-1 S ERZD”. The letter was incorrect and was based on a zoning mapping error. The zoning and ordinance cited in the letter actually applied to a neighboring property that had been rezoned in 1994 (Ordinance #82050). The actual zoning for the subject property is “R-6 ERZD”. In order to correct this administrative error, the Development Services Department is initiating a plan amendment and rezoning of this property consistent with the information provided to the property owner through the Zoning Verification process. The plan amendment and rezoning of the property would bring the existing uses into compliance. It should be noted that the North Sector Plan was adopted in 2010, 4 years after the zoning verification letter was issued in error to the property owners.

The “C-3NA S” and “I-1 S” districts are high intensity zoning districts that are not consistent with the current land use designation of the subject property. Suburban Tier allows up to “C-2” Commercial District and it doesn’t allow any industrial district.

Alternate Recommendation:

The aforementioned existing uses can be achieved via the Conditional Use provision of the Unified Development Code (UDC) Section 35-422. This provision enables the rezoning of the subject property to “C-2NA CD S” with a Conditional Use for a Construction Contractor Facility (the Specific Use Authorization is required because the property is located over the Edwards Recharge Zone). This approach will not require a plan amendment. Therefore, staff recommends denial of the requested rezoning and recommends approval of “C-2NA CD S ERZD MLOD-1” Commercial Nonalcoholic Sales Edwards Recharge Zone Camp Bullis Military Lighting Overlay District with a Conditional Use and a Specific Use Authorization for a Construction Contractor Facility. This alternate recommendation will make all of the existing uses conforming, and will allow future expansion for the Construction Contractor Facility because City-initiated rezoning cases are not subject to site plans.