



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-4421

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 9/3/2015

**Title:** ZONING CASE # Z2015211 S ERZD (Council District 8): An Ordinance amending the Zoning District Boundary from "C-3 CD GC-1 MSAO-1 MLOD AHOD ERZD" General Commercial Hill Country Gateway Corridor Military Sound Attenuation Overlay Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Conditional Use for Outside Storage for a Lumber Yard to "C-3 S GC-1 MSAO-1 MLOD AHOD ERZD" General Commercial Hill Country Gateway Corridor Military Sound Attenuation Overlay Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for Motor Vehicle Sales and Tire Sales and Installation on Lot 12, NCB 14881 located at 17100 IH-10 West. Staff recommends Approval. The Zoning Commission motion failed and is forwarded as Denial.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2015211 Location Map, 2. Z2015211 S ERZD Site Plan, 3. Z2015211 S ERZD SAWS Report, 4. Z2015211 S ERZD Zoning Minutes

| Date | Ver. | Action By | Action | Result |
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2015211 S ERZD

**SUMMARY:**

**Current Zoning:** "C-3 CD GC-1 MSAO-1 MLOD AHOD ERZD" General Commercial Hill County Gateway Corridor Military Sound Attenuation Overlay Military Lighting Overlay Airport Hazard Overlay Edwards Recharged Zone District with Conditional Use for Outside Storage for a Lumber Yard

**Requested Zoning:** "C-3 S GC-1 MSAO-1 MLOD AHOD ERZD" General Commercial Hill Country Gateway Corridor Military Sound Attenuation Overlay Military Lighting Overlay Airport Hazard Overlay Edwards Recharged Zone District with Specific Use Authorization for Motor Vehicle Sales and Tire Sales and Installation

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** August 4, 2015. This case was continued from the July 21, 2015 hearing.

**Case Manager:** Oscar Aguilera, Planner

**Property Owner:** San Antonio 2005 GP

**Applicant:** Tesla Motors (Christy Ortins)

**Representative:** Tesla Motors (Christy Ortins)

**Location:** 17100 IH-10 West

**Legal Description:** Lot 12, NCB 14881

**Total Acreage:** 3.653 acres

**Notices Mailed**

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

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

**Planning Team:** North Sector Plan -39

**Applicable Agencies:** SAWS & Camp Bullis

**Property Details**

**Property History:** The subject property was annexed in December 25, 1986 (Ordinance # 64017) and was originally zoned "R-1" Temporary Single Family Residential. In February 24, 2000, the property was rezoned to "B-3 SUP" Business Special Use Permit for outside storage for a lumber yard (Ordinance #91342). Upon the adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the "C-3 CD" General Commercial District with a Conditional Use for an outside storage for a lumber yard.

**Topography:** The subject property does not include any abnormal physical features such as significant slope. However, portion of the property is within the 100 year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North, South, East

**Current Base Zoning:** MPCD

**Current Land Uses:** Vacant Land, Hotels, and Apartments

**Direction:** West

**Current Base Zoning:** UZROW

**Current Land Uses:** Public right-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 recharged 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-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.

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The AHOD does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

The Hill Country Gateway Corridor District ("GC-1") provides site development standards for properties within 1,000 feet of Interstate 10 between UTSA Blvd and the northern City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department.

### **Transportation**

**Thoroughfare:** IH 10 West.

**Existing Character:** Freeway 250' - 500'

**Proposed Changes:** None known

**Public Transit:** There is no public transit located within the immediate vicinity of 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:** Auto and Vehicle Sales: 1 per 500 sf GFA of sales and service building. Maximum Parking Requirement: 1 per 375 sf GFA of sales and service building

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the zoning request will result in the subject property retaining the "C-3 CD" General Commercial District with a Conditional Use for an outside storage for a lumber yard.

### **FISCAL IMPACT:**

None.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval. The Zoning Commission motion failed (5 -3) and is forwarded to Council as a recommendation of Denial.

**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 designated as Regional Center. The "C-3 S" with a Specific Use Authorization for Motor Vehicle Sales and Tire Sales and Installation 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.

**3. Suitability as Presently Zoned:**

The “C-3 S” with a Specific Use Authorization for Motor Vehicle Sales and Tire Sales and Installation is appropriate for the subject property and will not have any negative effects on the future development.

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

**6. Size of Tract:**

The subject property is approximately 3.653 acres in size, which should be able to reasonably accommodate the proposed development with adequate space for parking.

**7. Other Factors:**

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

SAWS has reviewed the request and has determined that the impervious cover shall not exceed 84.30% on the site. The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. A request for comment was sent to Camp Bullis.