



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-4999

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 9/18/2015

**Title:** ZONING CASE # Z2015282 CD S ERZD (Council District 8): A request to assign zoning to "RP" Resource Protection District, "RE" Residential Estate District, "R-20" Residential Single-Family District, "R-6" Residential Single-Family District, "R-5" Residential Single-Family District, "R-4" Residential Single-Family District, "MF-18" Limited Density Multi-Family District, "MF-25" Low Density Multi-Family District, "MF-33" Multi-Family District, "C-2" Commercial District, "G" Golf Course District, "NP-8" Neighborhood Preservation District, "NP-10" Neighborhood Preservation District, "NP-15" Neighborhood Preservation District, "MHC" Manufactured Housing Conventional District, "FR" Farm and Ranch District; Overlay Districts as applicable: "GC-1" Hill Country Gateway Corridor District, "MSAO-1" Military Sound Attenuation Overlay District, "MLOD" Military Lighting Overlay District, "AHOD" Airport Hazard Overlay District, and "ERZD" Edwards Recharge Zone District Conditional Uses and Specific Use Authorizations as follows: "C-2 CD" Commercial District with Conditional Use for truck repair and maintenance, "C-2 S" Commercial District with Specific Use Authorization for a convenience store (with gasoline and carwash), "C-2 CD" Commercial District with Conditional Use for auto and light truck repair, "C-2 CD" Commercial District with Conditional Use for warehousing, "C-2 CD" Commercial District with Conditional Use for motor vehicle sales, "C-2 CD" Commercial District with Conditional Use for farm supplies, "C-2 CD" Commercial District with Conditional Use for machine shop, "C-2 CD" Commercial District with Conditional Use for oversized vehicle, boat and marine store (outside storage permitted), "C-2 CD" Commercial District with Conditional Use for manufactured homes/oversize vehicle sales, service, or storage, "C-2 CD" Commercial District with Conditional Use for landscaping materials-sales and storage, "C-2 CD" Commercial District with Conditional Use for construction trades contractor, "C-2 CD" Commercial District with Conditional Use for welding shop, "C-2 CD" Commercial District with Conditional Use for manufactured home/oversize vehicle sales, rental, service, or storage, "C-2 CD" Commercial District with Conditional Use for driving range, "C-2 S" Commercial District with Specific Use Authorization for party house, reception hall, meeting facilities, "C-2 CD" Commercial District with Conditional Use for bar/tavern on approximately 9,560 acres in Bexar County, Texas, located north of NW Loop 1604, extending to areas to the east and west sides of IH-10 West, and south of the Kendall County line. The area is generally bound on the north by the Kendall County line and the Fair Oaks Ranch City Limit Line; on the East by Old Fredericksburg Road, Fair Oaks Ranch City Limit line, Camp Stanley, Aue Road, and IH 10 West (south of Aue Road); on the south by NW Loop 1604; and on the West by Bandera Road; Scenic Loop Road; and Boerne Stage Road (north of Scenic Loop Road intersection.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 6 IH10 W AHOD with Military Boundary2, 2. Attachment 7 IH10 W Corridor Overlay, 3. Attachment 8 IH10 W MSAO with Military Boundary, 4. Attachment 3 IH10 W Zoning Map FINAL 8\_26\_2015, 5. Attachment 4 IH10 W ERZD2, 6. Attachment 5 IH10 W MLOD with Military Boundary2, 7. FINAL I-10 West Planning Study Reg Plan Template 09\_9\_2015 SS

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Planning and Community Development

**DEPARTMENT HEAD:** John M. Dugan, AICP

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

A request to assign zoning to territory in the proposed IH-10 West Limited Purpose Annexation Area.

**SUMMARY:**

Public hearing and consideration of the proposed zoning (case #Z2015282 CD S ERZD) for the IH-10 West Limited Purpose Annexation Area.

**BACKGROUND INFORMATION:**

On December 4, 2014, the City Council directed staff to prepare studies and bring forward the IH-10 West Area for Limited Purpose Annexation. The proposed annexation would protect the Edwards Aquifer Recharge Zone and the quality of development through the extension of zoning and city codes, include emerging residential developments and commercial centers, expand the city's economic vitality as a regional center by providing certainty and predictability, preserve the U.S. military missions through land use controls, facilitate long range planning in environmentally sensitive areas and growth centers, and enhance the City's overall regional economic position in bringing new jobs, population, and investment to the region.

The IH-10 West annexation area consists of approximately 9,560 acres (14.94 square miles) in Bexar County located along IH-10 West adjacent to Camp Bullis from the San Antonio City limits to Boerne's Extraterritorial Jurisdiction (ETJ) line and is located within the San Antonio's ETJ. Per the 2010 U.S. Census Bureau, there are approximately 12,871 residents in the proposed annexation area and the twenty year projected population is 22,928 based on 26 Master Development Plans (MDPs). The current median single family residential value is \$287,610.

**Outreach:** The City of San Antonio Department of Planning and Community Development held three public limited purpose annexation meetings in March, April, and May 2015. An open house meeting was held in the IH-10 West/Camp Bullis area on August 8, 2015. City departments and agencies representing the San Antonio Fire Department, Code Enforcement, Building Permits, Platting, and Zoning along with San Antonio Water System were present to answer questions from the public. At the IH-10 West Open House, exhibits and brochures included Frequently Asked Questions (FAQs), the proposed zoning, land use plans, examples of uses permitted in zoning districts, and the limited purpose annexation timeline. City staff provided the materials in both English and Spanish. The zoning plan was also posted on the DPCD's web site as a static map, and on the interactive map that allowed for parcel level identification. The following zoning case notification was provided:

- August 28 - Notice was published in the Commercial Recorder regarding the zoning case
- September 2 - Zoning Notices were mailed to 7310 property owners, 2 registered neighborhood associations, and 38 North Sector Planning Team members
- September 2 - Zoning Notices were mailed to 559 property owners, 4 neighborhood associations with 200 feet

- 18 zoning notification signs were posted in the IH 10 W Annexation Area

**Existing Land Use:** The IH-10 West study area primarily consists of the following land uses based on 2014 Bexar Appraisal District data: single family (38%), mobile homes (1.2%), multi-family (.5%), commercial (6%), agricultural and open space (10%), vacant lots (14%), unknown (25%), right-of-way (5%), utility (.04%) and exempt (.1%).

There are a total of 26 Master Development Plans (MDPs) within the IH-10 West area and several other developed and developing neighborhoods that are not listed as MDPs. The MDPs in the study area are at varying levels of completion. Several of the MDPs were platted in the 1980s and 1990s but the majority of the MDPs were platted after the year 2000 which indicates the rise in residential development in the IH-10 West study area.

**Sector Plan:** Proposed zoning must be consistent with the master plan of the city or if applicable, the land use element of a neighborhood, community, perimeter or sector Plan. -(UDC Sec. 35-421) The IH-10 West study area is subject to the North Sector Plan, adopted in 2010 as a component of the Comprehensive Master Plan of the City.

The North Sector Plan has designated the highest density residential and commercial intensity in the General Urban Tier. Moderate residential density and commercial intensity uses are designated as Suburban Tier, primarily for planned and exiting residential neighborhoods and community commercial uses. Country Tier is designed for large tract, detached single family housing served by well and septic, generally greater than 10 acres, while the Rural Estate Tier can accommodate lots that are half an acre or greater. Natural Tier designations include parks, recreational areas, golf courses, and floodplain areas.

Several amendments to the North Sector Plan proposed for the IH-10 W annexation area: Suburban Tier uses are expanded along IH-10 West, Country Tier land use is reduced, and the Rural Estate Tier and Suburban Tier land uses are added in the area west of IH-10 West and north of Boerne Stage Road. South of Ralph Fair Road and east of IH-10 West, Suburban Tier land use was expanded and Rural Tier land use was reduced to reflect current development trends. The areas near Heuermann and Babcock Roads as well as the Kyle Seale Parkway area also saw an increase to Suburban Tier land use. A General Urban Tier is proposed for the intersection of IH-10 W and Old Fredericksburg Road. The proposed zoning is consistent with the proposed land use amendments, which are scheduled to be heard by Planning Commission on October 2, 2015.

**Proposed Zoning:** Staff assigned base zoning according to the existing uses, sector plan uses, Bexar County Appraisal District (BCAD) data, aerials, field surveys, Master Development Plans (MDPs), meetings with property owners, developers, attorneys, and coordinated with Joint Base San Antonio (JBSA). For the IH-10 West Annexation area, the following base zoning was assigned:

- For conventional residential subdivisions: “R-4”, “R-5”, and “R-6” Residential Single-Family Districts
- For large lot residential: “RP” Resource Protection District, “RE” Residential Estate District, “R-20” Residential Single-Family District, “NP-8”, “NP-10”, and “NP-15” Neighborhood Preservation Districts
- For multifamily: “MF-18” Limited Density Multi-Family District, “MF-25” Low Density Multi-Family District, and “MF-33” Multi-Family District. Multifamily is assigned based on existing developments or planned in MDPs. “MF-33” is assigned to developments on IH 10-W near Ranchland View and on Babcock Rd., and “MF-18” and “MF-25” are assigned to developments on Kyle Seale Parkway.
- For manufactured housing: “MHC” Manufactured Housing Conventional District
- For commercial uses: “C-2” Commercial District, including conditional and specific uses for some

properties. Commercial uses are primarily located along IH-10W and a limited amount on arterial roadways

- For La Cantera-Palmer golf course: “G” Golf Course District
- For agricultural parcels near Camp Bullis: “FR” Farm and Ranch District
- Conditional uses and specific use authorizations were assigned to allow a particular use in accordance with appropriate intensities and adjacent uses.

Five zoning overlay districts within the IH-10 West limited purpose annexation area are assigned as applicable:

- “GC-1” Hill Country Gateway Corridor District (extends 1,000 feet from the right-of-way on either side of IH-10 West) - Regulates urban design through Design Standards for properties, except for single family, that address front and side yard setbacks, fences and walls, landscaping, parking lot screening, front natural buffers, rear buffers, building materials permitted/prohibited, trash receptacles & utility boxes, utilities & lighting, on/off premises signage, and wall signs.
- “MSAO-1” Military Sound Attenuation Overlay District (7.33% or 700 acres of the annexation area) - All habitable portions of new structures occupied by noise sensitive land uses must be designed and constructed to achieve an outside to inside noise level reduction of at least 25 decibels or must be built to the noise attenuation standards.
- “MLOD-1” Military Lighting Overlay District (100% of the annexation area) - Adopted by City Council in order to limit the impact of outdoor lighting on nighttime military training operations, it is applied to all properties within five miles of the Camp Bullis Military Installation. MLOD affects both commercial and residential properties as well as parking lots, signs, and street lighting; it regulates the type, intensity, and positioning of outdoor lighting for all affected properties.
- “AHOD” Airport Hazard Overlay District (.002% or 18 acres of the annexation area) - Provides height and use restrictions for development near airports and military airfields.
- “ERZD” Edwards Recharge Zone District (9.13% or 889 acres of the annexation area) - Prohibits uses which could adversely affect the water supply and thereby minimizes the risk of potential occurrences where substances could enter the water reservoir, including prohibiting uses having operations, production, or storage of hazardous materials which could contribute contaminants to the water supply.

The listing of properties and their corresponding zoning districts is located on the City of San Antonio’s Department of Planning and Community Development Proposed Annexation web site:

<http://www.sanantonio.gov/Planning/PlanningUrbanDesign/Annexation/AnnexationProgram.aspx#149231380-phase-1-limited-purpose-areas>

<http://www.sanantonio.gov/Planning/PlanningUrbanDesign/Annexation/AnnexationProgram.aspx>

The proposed zoning for the annexation area was detailed for each parcel on the interactive map program on:

<http://www.sanantonio.gov/Planning/PlanningUrbanDesign/Annexation/AnnexationProgram.aspx>

The proposed zoning and associated proposed land use plan were assigned using the planning principals based on the 1997 Master Plan Policies and the North Sector Plan policies:

- Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations
- Ensure that the proposed land uses and development are compatible in their use, character and size to the site and surrounding area
- Develop and maintain parks, open space, and recreational opportunities in all parts of the community.
- Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure

- Integrate environmental quality protection into all phases of local planning and policy implementation
- Develop and implement a management plan for land use activities which includes the best management practices, based on scientific study, that will protect the recharge and drainage zones of the Edwards Aquifer from pollution
- Continue to implement standards and guidelines of existing scenic corridors, gateway corridors and overlay districts to maintain and enhance a consistent design theme
- Future land uses should be compatible.

#### **ISSUE:**

*Limited purpose annexation* allows the City to extend regulatory authority for the limited purposes of applying its planning, zoning, health, and safety ordinances without the provisions of full services. Limited purpose annexation will help ensure quality development in the area and will protect property values by ensuring that all development meets consistently high standards.

Newly annexed property is zoned in accordance with the procedures required by state law. Any rezoning must be consistent with the comprehensive plan land use categories. The IH-10 West regulatory plan proposes that fees be waived for a rezoning, plan amendment or non-conforming use registration up to 180 days after the effective date of annexation.

#### **ALTERNATIVES:**

Alternative action would be to partially approve, or deny the proposed zoning.

#### **FISCAL IMPACT:**

There is no fiscal impact related to the proposed zoning for the IH-10 West Limited Purpose Annexation Area.

#### **RECOMMENDATION:**

Staff recommends approval of the proposed zoning for the IH-10 West Limited Purpose Annexation Area.