



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-1881

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/7/2016

**Title:** ZONING CASE # Z2016013 CD S ERZD (Council District 8): An Ordinance amending the Zoning District Boundary from "C-3NA ERZD" General Commercial Nonalcoholic Sales Edwards Recharge Zone District to "C-3NA CD S ERZD" General Commercial Nonalcoholic Sales Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for a Construction Trade Contractor Facility on Lot 1, Block 1, NCB 17615, located at 13407 Western Oak Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16003)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016-013 Location Map, 2. Z2016013 CD S Site Plan, 3. Z2016013 ERZD SAWS Report, 4. Z2016013 ERZD zoning minutes, 5. Draft Ordinance, 6. Ordinance 2016-04-07-0262

Date	Ver.	Action By	Action	Result
4/7/2016	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2016013  
(Associated Plan Amendment 16003)

**SUMMARY:**

**Current Zoning:** "C-3NA ERZD" General Commercial Nonalcoholic Sales Edwards Recharge Zone District

**Requested Zoning:** "C-3NA CD S ERZD" General Commercial Nonalcoholic Sales Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for Construction Trades Contractor Facility

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 16, 2015

**Case Manager:** Shepard Beamon, Planner

**Property Owner:** Douglas & Rhonda Payne

**Applicant:** Greg & Shannon Bolin

**Representative:** Aaron M. Saxon

**Location:** 13407 Western Oak Drive

**Legal Description:** Lot 1, Block 1, NCB 17615

**Total Acreage:** 1.994

**Notices Mailed**

**Owners of Property within 200 feet:** 12

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

**Applicable Agencies:** None

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on December 31, 1997 (Ordinance # 86864). According to available records, the property was originally zoned Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District based on the 1965 zoning districts. On November 23, 1999, the subject property was rezoned from "R-1" to "B-3NA" Nonalcoholic Sales Business Edwards Recharge Zone District (Ordinance # 90899). Upon the adoption of the 2001 Unified Development Code, "B-3" base zoning has been converted to "C-3" General Industrial District.

**Topography:** None.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** ED, DR

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** C-3NA

**Current Base Zoning:** Construction Trades Materials/Supplies

**Direction:** South

**Current Base Zoning:** C-3NA

**Current Land Uses:** Construction Trades Materials/Supplies

**Direction:** West

**Current Base Zoning:** OCL

**Current Land Uses:** Single-Family Residences

**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".

**Transportation**

**Thoroughfare:** Western Oak Drive

**Existing Character:** Local Street

**Proposed Changes:** None known

**Thoroughfare:** West Hausman Road  
**Existing Character:** Secondary Arterial Type A  
**Proposed Changes:** None known

**Public Transit:** There is no VIA Bus Route located near the subject property.

**Traffic Impact:** A Traffic Impact Analysis (TIA) report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:**

Contractor Facility - Minimum Vehicle Spaces: 1 per 1,500 sf GFA. Maximum Vehicle Spaces: 1 per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present “C-3NA” zoning district designation.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval, pending Plan Amendment.

**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 Suburban Tier. The requested zoning “C-3NA CD S” is not permitted under the current land use designation. The applicant has requested a plan amendment to Regional Center. Staff and Planning Commission recommend Approval.

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

Staff has found no evidence of likely adverse impacts on surrounding properties in relation to this zoning request.

**3. Suitability as Presently Zoned:**

The existing “C-3NA” base zoning district is appropriate for the subject property as the surrounding properties carry the same zoning and similar business. However, the property requires Specific Use Authorization for a Construction Contractor Facility, over the Edwards Recharge Zone, which is the existing business on the property. Additionally, the subject property requires Conditional Use for outdoor storage in “C-3”. Under the requested Regional Center land use designation, “C-3” is a permitted use and light manufacturing is allowed. The requested Specific Use and Conditional Use are appropriate as they will not significantly alter to the subject property and existing business.

**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. The zoning request fulfills the goals and strategies of the North Sector Plan, by promoting compatible land use patterns so that natural resources are preserved and the local economy remains viable.

**6. Size of Tract:**

The subject property is 1.994 acres in size, which accommodates the proposed development for the requested “C-3NA CD S” zoning.

**7. Other Factors:**

SAWS staff recommends approval of the zoning request, provided that the existing impervious cover shall not increase on the site. Reference SAWS report dated January 25, 2016.

The conditional use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

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 with may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The Specific Use Authorization in this case is a requirement of the Code for properties within the Edwards Recharge Zone District, which allows San Antonio Water System (SAWS) to examine the proposed use of the property and its conformity with SAWS requirements.