



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3074

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 5/17/2016

**Title:** ZONING CASE # Z2016121 S ERZD (Council District 8): A request for a change in zoning from "PUD C-2 MLOD AHOD ERZD" Planned Unit Development Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "PUD C-2 S MLOD AHOD ERZD" Planned Unit Development Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for a Helistop within 500 feet of a residential use or residentially zoned property on Lot 2, Block 2, NCB 17704, generally located at 4500 Block North of Loop 1604 West. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016121 S ERZD Location Map, 2. Z2016121 S ERZD Site Plan, 3. Z2016121 S ERZD SAWS Report

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

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2016121 S ERZD

**SUMMARY:**

**Current Zoning:** "PUD C-2 MLOD AHOD ERZD" Planned Unit Development Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District

**Requested Zoning:** "PUD C-2 S MLOD AHOD ERZD" Planned Unit Development Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for a Helistop within 500 feet of a residential use or residentially zoned property

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 17, 2016

**Case Manager:** Erica Greene, Planner

**Property Owner:** Roberto Kenigstein

**Applicant:** Holzman Investments, Ltd. & Roberto Kenigstein

**Representative:** Brown & Ortiz, P.C

**Location:** 4500 Block of North 1604 West

**Legal Description:** Lot 2, Block 2, NCB 17704

**Total Acreage:** 3.046

**Notices Mailed**

**Owners of Property within 200 feet:** 11

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

**Agencies:** Camp Bullis

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1952 and was previously zoned "Temporary R-1" Single-Family Residence District. A 1999 case, Ordinance 89924, zoned the subject property as "B-2" Business District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-2" Commercial District. A 2006 case, Ordinance 2006-08-03-0880 zoned the subject property as "PUD C-2 ERZD" Planned Unit Development Commercial Edwards Recharge Zone District.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** Right-of -Way

**Current Land Uses:** North 1604 West

**Direction:** West

**Current Base Zoning:** C-2

**Current Land Uses:** Vacant Lot

**Direction:** South

**Current Base Zoning:** Right-of -Way, C-2

**Current Land Uses:** Via Shavano Road, Shavano Business Park

**Direction:** East

**Current Base Zoning:** C-2

**Current Land Uses:** Drainage Easement

**Overlay and Special District Information:** 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.

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 "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:** North 1604 West

**Existing Character:** Freeway

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus routes are #97 within walking distance 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:** Helistop: Parking Lot does not require a minimum or maximum of vehicle spaces.

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current "PUD C-2 MLOD AHOD ERZD" Planned Unit Development Commercial Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District.

### **FISCAL IMPACT:**

None.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval

**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 Mixed Use Center in the future land use component of the plan. The requested "C-2" Commercial base zoning district is consistent with the future land use designation.

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

Staff finds no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

#### **3. Suitability as Presently Zoned:**

The current "PUD C-2" base zoning district is appropriate for the subject property's location. The requested zoning district of "C-2" is also appropriate for the subject property's location.

**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 rezoning request does not appear to conflict with land use goals and strategies of the of the North Sector Plan that encourages development that is visually and functionally compatible with its surrounding neighborhoods by maintaining a massing and density of development that is compatible with adjacent developed neighborhoods.

**6. Size of Tract:**

The subject property totals 3.046 acres in size, which should reasonably accommodate the uses permitted in “C-2” Commercial District.

**7. Other Factors:**

The SAWS report has classified the subject property as a Category 2. SAWS staff recommends approval of the zoning request with an impervious core of 75%.

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 and the City of San Antonio, the Military did not review the request because the property is less than 10 acres in size and does not directly abut the installation.