



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3155

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 6/2/2016

**Title:** ZONING CASE # Z2016112 CD S ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-2 CD MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Conditional Use for an Indoor Theater Permitting Over 2 Screens and/or Stages to "C-2 CD S MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for a Carwash on Lot 5, Block 4, NCB 18218, located at 23202 US Highway 281 North. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Z2016112 ERZD SAWS Report, 2. Z2016-112 Location Map, 3. Z2016112 CD S ERZD Site Plan, 4. Z2016112 CD S ERZD Minutes, 5. Draft Ordinance, 6. Ordinance 2016-06-02-0427

Date	Ver.	Action By	Action	Result
6/2/2016	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Zoning Case Z2016112 CD S ERZD

**SUMMARY:**

**Current Zoning:** "C-2 CD MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Conditional Use for an Indoor Theater Permitting Over 2 Screens and/or Stages

**Requested Zoning:** "C-2 CD S MLOD-1 ERZD" Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for a Carwash

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 3, 2016

**Case Manager:** Shepard Beamon, Planner

**Property Owner:** M2G Marshall Road, LTD

**Applicant:** Windmeer Enterprises, LLC

**Representative:** Mitsuko Ramos

**Location:** 23202 Highway 281 North

**Legal Description:** Lot 5, Block 4, NCB 18218

**Total Acreage:** 2.011

**Notices Mailed**

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

**Registered Neighborhood Associations within 400 feet:** Winchester Hills

**Applicable Agencies:** San Antonio Water System, Camp Bullis

**Property Details**

**Property History:** The subject property was annexed into the City Limits on December 30, 1985 (Ordinance # 61608) and was originally zoned "Temporary R-1 ERZD" Single Family Residence Edwards Recharge Zone District. On January 28, 1999, the property was rezoned to "B-2" Business District (Ordinance # 89170). Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to "C-2" Commercial District. On December 6, 2007 rezoning case, the property was rezoned to "C-2 CD" Commercial District with a Conditional Use for a Theater - Indoor Permitting Over 2 Screens and/or Stages (Ordinance # 2007-12-06-1290).

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C2-CD

**Current Land Uses:** Vacant, Sam's Club

**Direction:** South

**Current Base Zoning:** C-2 CD

**Current Land Uses:** Vacant

**Direction:** East

**Current Base Zoning:** C-3, C-2, R-6

**Current Land Uses:** Access Road, Vacant, Gymnastics of San Antonio

**Direction:** West

**Current Base Zoning:** C-3, UZROW, OCL

**Current Land Uses:** Vacant, US Highway 281 North

**Overlay and Special District Information:** 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:** U.S. Highway 281 North

**Existing Character:** Freeway; three lanes each direction, divided with a two lane one direction access road on both sides

**Proposed Changes:** None known

**Public Transit:** There are no VIA bus routes located near the subject property.

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

**Parking Information:** Carwash- Minimum Vehicle Spaces: 1 per 500 sf GFA including service bays, wash tunnels and retail areas. Maximum Vehicle Spaces: 1 per 375 sf GFA including service bays, wash tunnels and retail areas.

### **ISSUE:**

None.

### **ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current commercial zoning classification and would not allow the operation of a carwash on the property.

### **FISCAL IMPACT:**

None.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-1) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

#### **1. Consistency:**

The subject 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 base district of "C-2" Commercial District is consistent with the adopted 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. The proposed use will be compatible with the surrounding land uses and overall character of the community.

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

The current “C-2” base zoning is compatible with the surrounding land uses.

#### **4. Health, Safety and Welfare:**

Staff has found no evidence of likely adverse impacts on the health, safety, and welfare of the surrounding

community, provided the SAWS recommendations are adhered to.

**5. Public Policy:**

The proposed use meets the goals of the Suburban Tier land use classification within the North Sector Plan to ensure commercial uses in suburban areas serve both neighborhood and community scale markets.

**6. Size of Tract:**

The subject property measures 2.011 acres and is sufficient to accommodate the proposed carwash and parking requirements.

**7. Other Factors:**

Based on the information provided to SAWS staff, SAWS identifies the subject property as a Category 1 property. SAWS staff recommends approval of the zoning request, provided that the impervious cover shall not exceed 65% on the site. Reference SAWS report dated April 12, 2016.

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.

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.