



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-2674

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 4/19/2018

**Title:** ZONING CASE # Z2018107 ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-3R MLOD-1 ERZD" General Commercial Restrictive Alcoholic Sales Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District on 0.792 of an acre out of NCB 15670, located at 18195 San Pedro Avenue. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Z2018107 SAWS Report, 3. Zoning Minutes, 4. Draft Ordinance, 5. Metes and Bounds, 6. Ordinance 2018-04-19-0321

Date	Ver.	Action By	Action	Result
4/19/2018	1	City Council A Session	Motion to Approve	

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**  
Zoning Case 2018107 ERZD

**SUMMARY:**

**Current Zoning:** "C-3R MLOD-1 ERZD" General Commercial Restrictive Alcoholic Sales Camp Bullis Military Lighting Overlay Edwards Recharge Zone District

**Requested Zoning:** "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** March 20, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Brazos De Santos Partner, LTD

**Applicant:** Brazos De Santos Partner, LTD

**Representative:** Brown & Ortiz, P.C. (c/o Ken Brown)

**Location:** 18195 San Pedro Avenue

**Legal Description:** Lot 39, Block 9, NCB 15670

**Total Acreage:** 0.793

**Notices Mailed**

**Owners of Property within 200 feet:** 7

**Registered Neighborhood Associations within 200 feet:** NA

**Applicable Agencies:** Camp Bullis, Texas Department of Transportation, San Antonio Water System

**Property Details**

**Property History:** The subject property was rezoned from Temporary "R-1" ERZD Single Family Residential Edwards Recharge Zone District to "B-3R" Restrictive Business District Edwards Recharge Zone District by Ordinance 51637, dated December 20, 1979. The property converted from "B-3" to the current "C-3" General Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The subject property is not located within the 100-year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

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

**Current Land Uses:** Restaurants

**Direction:** East

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

**Current Land Uses:** Retail Center

**Direction:** South

**Current Base Zoning:** "C-3 R S"

**Current Land Uses:** Toyota Auto Dealership

**Direction:** West

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

**Current Land Uses:** Restaurants

**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:** San Pedro Avenue

**Existing Character:** Highway Access Road

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property.

**Thoroughfare:** Loop 1604

**Existing Character:** Highway

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not 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:**

Minimum vehicle space for a Fast Food Restaurant with Drive Through Lanes is 1 per 150 sf GFA

### **ISSUE:**

None.

### **ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “C-3R”. “C-3R” allows for uses such as amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales, auto muffler, hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. “C-3R” districts are identical to “C-3” districts except that the sale of alcoholic beverages is prohibited.

### **FISCAL IMPACT:**

None.

### **PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is located within the Stone Oak Regional Center.

### **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) 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 “Regional Center” in the future land use component of the plan. The requested “C-3” base zoning is compatible with the future land use designation. The property is maintaining the base zoning district and removing the “R” designation which restricts alcohol sales.

#### **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 “C-3R” General Commercial Restrictive Alcoholic Sales District is an appropriate zoning for the property and surrounding area. The adjacent properties are commercial properties that carry the “C-3” and “C-3R S” zoning districts.

**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 proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the North Sector Plan

North Sector Plan Relevant Goals and Objectives:

- Goal ED-1 Compatible economic development along major transportation routes and existing activity centers that do not interfere with the mission of Camp Bullis.
- Goal LU-3 Higher density/intensity tiers are recommended adjacent or proximate to activity centers.

**6. Size of Tract:**

The subject property is 0.792 acres, which would adequately support a commercial development.

**7. Other Factors:**

The purpose of the rezoning is to remove the “R” designation in order to allow alcohol sales a part of an existing restaurant.