



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5271

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 9/18/2018

**Title:** ZONING CASE # Z2018166 CD S ERZD (Council District 8): A request for a change in zoning from "R-6 UC-1 MLOD-1 ERZD" Residential Single-Family IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "R-6 CD S UC-1 MLOD-1 ERZD" Residential Single-Family IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for a Non-Commercial Parking Lot on Lot 15, Block 3, NCB 14758, located at 7504 Green Glen Drive. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment 18069)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2018166 CD S ERZD  
(Associated Plan Amendment 18069)

**SUMMARY:**

**Current Zoning:** "R-6 UC-1 MLOD-1 ERZD" Residential Single-Family IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Edwards Recharge Zone District

**Requested Zoning:** "R-6 CD S UC-1 MLOD-1 ERZD" Residential Single-Family IH-10/FM 1604 Urban Corridor Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with a Conditional Use and Specific Use Authorization for a Non-Commercial Parking Lot

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 18, 2018. This case has been expedited to the September 20, 2018 City Council hearing.

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Steve E. and Diana P. Martinez

**Applicant:** Steve E. and Diana P. Martinez

**Representative:** Brown & Ortiz

**Location:** 7504 Green Glen Drive

**Legal Description:** Lot 15, Block 3, NCB 14758

**Total Acreage:** 0.3444

**Notices Mailed**

**Owners of Property within 200 feet:** 14

**Registered Neighborhood Associations within 200 feet:** Hill and Dales Neighborhood Association

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

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned Temporary "R-1" Single-Family Residence District by Ordinance 32614, dated September 24, 1964. The Temporary "R-1" converted to the current "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

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

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6"

**Current Land Uses:** Vacant Lot, Single-Family Residence

**Direction:** East

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

**Current Land Uses:** Vacant Lot, Single-Family Residence

**Direction:** South

**Current Base Zoning:** "C-2", "C-3"

**Current Land Uses:** Restaurant, Bar

**Direction:** West

**Current Base Zoning:** "R-6"

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

**Overlay and Special District Information:**

"MLOD-1"

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.

"ERZD"

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:** Green Glen Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** White Fawn Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus route 660 is 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:**

There are no minimum parking requirements for a non-commercial parking lot.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "R-6", which permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 45 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The property is not within a Regional Center or within a ½ of a mile of a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Approval, pending the Plan Amendment.

**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 "Rural Estate Tier" in the future land use component of the plan. The requested "R-6" Residential Single-Family District is not consistent with the future land use designation. The applicant is requesting a land use amendment from "Rural Estate Tier" to "Suburban Tier" to accommodate the proposed rezoning. Staff recommends Approval of the Plan Amendment. The Planning Commission recommendation is pending the August 22, 2018 commission hearing.

**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 “R-6” is an appropriate base zoning for the property and surrounding area. The area consists of predominately single-family residential lots.

**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 appear to conflict with the goals and objectives of the North Sector Plan. The requested Conditional and Specific Use Authorization for a Noncommercial Parking Lot is supported by the location of the property near West Loop 1604 and the close proximity to commercial uses to the south. The request will keep the base zoning residential while permitting additional parking for customers of the adjacent restaurant.

Relevant Goals and Objectives of the North Sector Plan:

- Goal ED-1 - Compatible economic development along major transportation routes and existing activity centers that do not interfere with the mission of Camp Bullis.
- ED-1.3 - Continue to maintain and revitalize the North Sector to retain and expand vibrant retail and commercial uses within the IH-10, IH-35, Loop 410 and Loop 1604 corridors and/or centers.

**6. Size of Tract:**

The subject property is 0.3444 of an acre, which should reasonably accommodate a small noncommercial parking lot.

**7. Other Factors:**

The purpose of the Conditional Use 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 which may under the right set of circumstances and conditions be acceptable in certain specific locations.

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.

SAWS recommendations:

1. Impervious cover shall not exceed 65%.
2. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that

land use will not be permitted on the project site.

3. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Aquifer Protection & Evaluation Section of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Aquifer Protection & Evaluation Section of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution. A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
5. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3565 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality and the Aquifer Protection & Evaluation Section of SAWS at (210) 233-3522.

The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military responded and does not have any objection to the request.