



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-6442

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 9/3/2019

**Title:** ZONING CASE Z-2019-10700169 ERZD (Council District 9): A request for a change in zoning from "QD CD S MSAO-1 MLOD-1 MLR-1 AHOD ERZD " Quarry Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District with a Specific Use Authorization for a Quarry and Conditional Use for Blasting and "MXD MLOD-1 MLR-1 MSAO-1 AHOD ERZD" Mixed Use Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District to "MXD MLOD-1 MLR-1 MSAO-1 AHOD ERZD" Mixed Use Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District on 279.745 acres out of NCB 17701, generally located at 4939 North Loop 1604 West. Staff recommends Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600046) (Patricia Franco, Planner (210) 207-5876, patricia.franco@sanantonio.gov, Development Services Department).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location map, 2. Site Plan, 3. SAWS report

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Zoning Case Z-2019-10700169  
(Associated Plan Amendment PA2019-11600046)

**SUMMARY:**

**Current Zoning:** "QD CD S MLR-1 MLOD-1 MSAO-1 AHOD ERZD" Quarry Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District with a Specific Use Authorization for a Quarry and Conditional Use for Blasting and "MXD MLOD-1 MLR-1 MSAO-1 AHOD ERZD" Mixed Use Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District

**Requested Zoning:** "MXD MLOD-1 MLR-1 MSAO-1 AHOD ERZD" Mixed Use Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay Edwards Recharge Zone District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 3, 2019

**Case Manager:** Patricia Franco, Planner

**Property Owner:** Bitterblue/Rogers Water Interests LTD

**Applicant:** Lloyd A. Denton, Jr.

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

**Location:** Generally located at 4939 North Loop 1604 West

**Legal Description:** 279.745 acres out of NCB 17701

**Total Acreage:** 279.745

**Notices Mailed**

**Owners of Property within 200 feet:** 10

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

**Applicable Agencies:** Camp Bullis, SAWS, TxDOT

**Property Details**

**Property History:** The subject property was annexed on December 31, 1996. The property was previously used as a quarry and was zoned for that use following the adoption of Ordinance 93853, dated April 26, 2001. The property was rezoned from "QD CD S MSAO-1 MLOD-1 AHOD ERZD" Quarry Camp Bullis Military Sound Attenuation Overlay Lighting Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Conditional and Specific Use Authorization for Blasting, "C-2 MSAO-1 MLOD-1 AHOD ERZD" Commercial Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District and "PUD R-6 MSAO-1 MLOD-1 AHOD ERZD" Planned Unit Development Residential Single-Family Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "MXD" Mixed-Use District, all zoning overlay districts remain unchanged by Ordinance 2018-02-15-0147 on February 15, 2018.

**Topography:** The subject property was used as a quarry. A large portion of the subject property is located within the quarry, significantly below the ridge. A tributary of the Salado Creek runs through the center and the far north of the quarry and accounts for a small portion of the property being included in the 100 year flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** OCL

**Current Land Uses:** Camp Bullis

**Direction:** East

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

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

**Direction:** South

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

**Current Land Uses:** Single-Family Dwellings, Private School

**Direction:** West

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

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

**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 "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".

All surrounding properties carry the "MLOD-1" Camp Bullis 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 "MSAO-1" Camp Bullis Military Sound Attenuation Overlay District, due to their proximity to Camp Bullis. The "MSAO-1" does not restrict permitted uses, but does require additional construction methods intended to reduce noise levels in sensitive areas.

### **Transportation**

**Thoroughfare:** Northwest Military Highway

**Existing Character:** Primary Arterial Type A

**Proposed Changes:** None known

**Thoroughfare:** Loop 1604

**Existing Character:** Expressway

**Proposed Changes:** None known

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

**Traffic Impact:** A Traffic Impact Analysis (TIA) is required. A Traffic Engineer must be present at the Zoning Commission hearing. The applicant will be deferring the TIA until the platting phase.

**Parking Information:** The proposed development includes single-family dwellings, multi-family dwellings, and some commercial uses. Parking requirements are calculated on the use:

- Single-Family Residential - Minimum of 1 parking space per dwelling, no maximum
- Multi-Family Residential - Minimum of 1.5 parking spaces per unit, maximum of 2 parking spaces per unit
- Commercial parking is calculated on the specific commercial use

**ISSUE:**

None

**ALTERNATIVES:**

Current: The present zoning allows a quarry, blasting and “MXD” Mixed Use Development.

Proposed: The proposed zoning of “MXD” would allow Mixed Use development such as:

Residential and Commercial uses

**FISCAL IMPACT:**

None

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 in the North Sector Plan and is currently designated for “Specialized Center” and “Suburban Tier” land uses. The proposed “MXD” base zoning district is not consistent with the current future land use plan. The applicant requested a Plan Amendment from “Specialized Center” and “Mixed Use Center” to “Mixed Use Center”. Staff and Planning Commission recommend Approval.

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

The applicant has met with Camp Bullis and arrived on setback and buffer yard standards to mitigate the impact of the proposed development. Additionally, the entire subject area is subject to the “MLOD-1” and “MSAO-1” overlay districts.

Staff finds no evidence of likely adverse impact on the single-family neighborhoods to the east, or to the commercial properties to the south of the subject property.

**3. Suitability as Presently Zoned:**

As the Quarry is no longer in use the existing “QD” base zoning district is no longer appropriate for the subject property.

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

Staff has found no negative impacts on the public health, safety, or welfare in relation to this rezoning request.

**5. Public Policy:**

The request is consistent with several goals and objectives identified in the North Sector Plan including:

1. Goal LU 1.5: “Promote flexibility and innovation in residential, business, and recreational land uses through planned unit developments, conservation subdivisions, specific plans, mixed use projects, and other innovative development and land use planning techniques”.

**6. Size of Tract:**

The subject property totals 279.745 acres and is sufficient size for the proposed mixed use development.

**7. Other Factors:**

Based on the information provided to SAWS staff, SAWS has identified the following general recommendations:

1. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
  2. The Resource and Compliance Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.
- SAWS staff recommends approval of the zoning request, provided that the applicant or any future owner, comply with the above recommendations with regard to the development of the subject property. Reference SAWS report dated August 2, 2019.

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.