



# City of San Antonio

## Agenda Memorandum

**File Number:**15-6064

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**Agenda Item Number:** 4.

**Agenda Date:** 12/1/2015

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2015300 S ERZD

**SUMMARY:**

**Current Zoning:** "MPCD GC-1 MLOD AHOD ERZD" Master Planned Community Hill Country Gateway Corridor Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District

**Requested Zoning:** "MPCD S GC-1 MLOD AHOD ERZD" Master Planned Community Hill Country Gateway Corridor Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for Motor Vehicle Sales

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 01, 2015. This case is expedited to the December 17, 2015 City Council Meeting.

**Case Manager:** Ernest Brown, Planner

**Property Owner:** Phase V North, LLC (by J. Bruce Williams)

**Applicant:** Ernie Garcia (CEO) for Carvana

**Representative:** Brown & Ortiz, PC ( c/o James McKinght)

**Location:** 5000 Block of Loop 1604 West

**Legal Description:** 1.500 acres out of NCB 14853

**Total Acreage:** 1.5

**Notices Mailed**

**Owners of Property within 200 feet:** 2

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

**Planning Team:** North Sector Planning Team-39

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was annexed into the City Limits in 1964 and was originally zoned “Temporary R-1 ERZD” Single Family Residence Edwards Recharge Zone District. In 1974 the subject property was rezoned to “B-3 ERZD” Business Edwards Recharge Zone District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to “C-3 ERZD” Commercial Edwards Recharge Zone District. In 2007 the subject property was rezoned to “MPCD GC-1 MLOD ERZD” Master Planned Community Hill Country Gateway Military Lighting Overlay Edwards Recharge Zone District. The subject property is not platted in its current configuration and is undeveloped.

**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:** All Directions

**Current Base Zoning:** MPCD ERZD GC-1

**Current Land Uses:** Vacant

**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.

The Hill Country Gateway Corridor District (“GC-1”) provides site development standards for properties within 1,000 feet of Interstate 10 between UTSA Blvd and the northern City Limits. The standards primarily address building placement, landscaping, building materials and signage to promote a coordinated development scheme for the Corridor. A zoning review is performed by the Zoning Section of the Development Services Department.

Master Planned Community District is a special district established to encourage the development of areas of mixed uses that are internally compatible in an effort to achieve well designed development and provide a more efficient arrangement of land uses, building and circulation systems.

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:** Freeway

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

**Proposed Changes:** None known

**Public Transit:** There is no nearby transit route to 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:** Off-street vehicle parking requirements are typically determined by the type of use and building size. The zoning application refers to Motor Vehicle Sales land use.

Minimum Parking Requirement: 1 per 500 square foot Gross Floor Area sales and service building;

Maximum Parking Requirement: 1 per 375 square foot Gross Floor Area sales and service building;

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation.

**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 subject property is located within the North Sector Plan and is currently designated as Regional Center land use in the future land use component of the plan. The requested “MPCD” base zoning district with commercial uses is consistent with the adopted land use designation.

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

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

**3. Suitability as Presently Zoned:**

The existing base zoning and use is consistent with the surrounding pattern of development. The transportation network supports such uses.

**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 request does not appear to conflict with any public policy objective. The proposed development will not have a negative impact on the vision of the North Sector Plan that will prevent the preserving of natural resources. The proposed development will provide a compatible land use fabric that will integrate a sustainable development pattern.

## **6. Size of Tract:**

The subject property measures 1.5 acre tract is sufficient to accommodate the proposed Motor Vehicle Sales development and parking requirements.

## **7. Other Factors:**

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.

In addition, Specific Uses Authorization Zoning indicates that the listed use is permitted within the respective zoning district only after review and approval of a specific permit, in accordance with the review procedures of section 35-423 in chapter 35. Specific Use Authorization are subject of all other applicable standards of chapter 35 and those requirements that may reasonably be imposed by the city consistent with the criteria set forth in subsection 35-424(e) of chapter 35 and any supplemental use regulations which apply to said use.

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 November 12, 2015.