



# City of San Antonio

## Agenda Memorandum

**File Number:**17-1691

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**Agenda Item Number:** 6.

**Agenda Date:** 2/21/2017

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Zoning Case Z2017034 CD S ERZD

**SUMMARY:**

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

**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 Animal and Pet Services (Outdoor)

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** February 21, 2017

**Case Manager:** Erica Greene, Planner

**Property Owner:** Kerry Bartholomew

**Applicant:** Frederick Brian Cain

**Representative:** Frederick Brian Cain

**Location:** 18965 Redland Road

**Legal Description:** 0.50 acres out of NCB 15671

**Total Acreage:** 0.50

**Notices Mailed**

**Owners of Property within 200 feet:** 17

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

**Applicable Agencies:** None

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio in 1952 and was previously zoned "Temporary R-1 ERZD" Single-Family Residence Edwards Recharge Zone District. A 1985 case zoned the subject property as "B-3 ERZD" Business Edwards Recharge Zone District. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "C-3 ERZD" General Commercial Edwards Recharge Zone District.

**Topography:** The entire property is located within the Edwards Recharge Zone District.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3

**Current Land Uses:** Turner Roofing

**Direction:** West

**Current Base Zoning:** R-6

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

**Direction:** South

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

**Current Land Uses:** Vacant Lot

**Direction:** East

**Current Base Zoning:** C-3

**Current Land Uses:** Mission Golf Carts

### **Overlay and Special District Information:**

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" 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.

### **Transportation**

**Thoroughfare:** Redland Road

**Existing Character:** Local Road

**Proposed Changes:** None

**Public Transit:** The nearest VIA bus route is #6 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:** Animal: Dog Training (Outdoor Permitted) requires a minimum of 1 per 1500 sf GFA and a maximum of 1 per 300 sf GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of the request will result in the subject property retaining the current "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District.

**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 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 "C-2" Commercial base zoning district is consistent with the future 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.

**3. Suitability as Presently Zoned:**

The current "C-3" base zoning district is not appropriate for the subject property's location, as it is planned for Suburban Tier land uses. The requested zoning district of "C-2 CD S" for Animal and Pet Services (Outdoor) is also appropriate due to the surrounding commercial 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 rezoning request does appear to conflict with land use goals and strategies of the North Sector Plan that 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 totals 0.50 acres in size, which should reasonably accommodate the uses permitted in "C-2" Commercial District.

**7. Other Factors:**

The applicant proposes pet services with outdoor training on the subject property. The surrounding properties to the north and east of the subject property are commercial uses that will not alter the characteristics of the area. The request to rezone the subject property will make the land uses more compatible with one another.

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

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 directly abut the installation.

The SAWS report recommends approval of the zoning request per the following conditions:

1. The existing impervious cover shall not be increased on the site.
2. Sod grass shall be established and maintained on 0.47 acre portion located outside the existing 1,200 sq. ft. canopy.
3. No outside storage of chemicals shall be allowed.
4. 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.
5. 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.
6. The Resource Protection & 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.