



# City of San Antonio

## Agenda Memorandum

**File Number:**18-3135

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**Agenda Item Number:** 7.

**Agenda Date:** 5/1/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2018156

**SUMMARY:**

**Current Zoning:** "R-20 MLOD-1 MSAO-1" Residential Single-Family Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay District

**Requested Zoning:** "L MLOD-1 MSAO-1" Light Industrial Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** May 1, 2018. This case is continued from the April 17, 2018 Zoning hearing.

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Jessie and Mary B. Taylor

**Applicant:** Jerry Arredondo

**Representative:** Jerry Arredondo

**Location:** 7081 Heuermann Road

**Legal Description:** 0.853 acres out of NCB 35733

**Total Acreage:** 0.853

**Notices Mailed**

**Owners of Property within 200 feet:** 8

**Registered Neighborhood Associations within 200 feet:** Friends of Friedrich Wilderness Park

**Applicable Agencies:** Parks Department

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on December 31, 1998 and zoned "Temporary R-1" Temporary Residential District, established by Ordinance 88824. The zoning changed to "R-8" Large Lot Home District on February 25, 1999, established by Ordinance 89324. Upon adoption of the 2001 Unified Development Code (Ordinance 93881, dated May 3, 2001), the current "R-20" Residential Single-Family District zoning converted from the previous "R-8" base zoning district.

**Topography:** The subject property is located within the Leon Creek watershed area.

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

**Direction:** North

**Current Base Zoning:** "R-20"

**Current Land Uses:** Elementary School

**Direction:** East

**Current Base Zoning:** "L"

**Current Land Uses:** Roofing Company

**Direction:** South

**Current Base Zoning:** "R-20"

**Current Land Uses:** Residential - Two Dwelling Units

**Direction:** West

**Current Base Zoning:** "R-20"

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

### **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 "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 enforce construction standards intended to lessen the impact of external noise from the nearby military installation. The "MSAO-1" regulations apply to new construction of habitable structures.

### **Transportation**

**Thoroughfare:** Heuermann Road

**Existing Character:** Local Street

**Proposed Changes:** None

**Public Transit:** There are no nearby VIA bus routes.

**Traffic Impact:** A Traffic Impact Analysis (TIA) Report is not required. The traffic generated by the proposed development does not exceed the threshold requirements.

**Parking Information:** A Contractor Facility requires a minimum of one (1) parking space per 1,500 square-

feet of the Gross Floor Area (GFA) and a maximum of one (1) parking space per 300 square-feet of the GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-20” base zoning district permits single-family dwellings (detached) with a minimum lot size of 20,000 square feet and a minimum lot width of 90 feet, accessory dwelling, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center nor a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial, with an Alternate recommendation for “C-2 CD” Commercial District with Conditional Use for a Construction Contractor Facility.

**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 “Suburban Tier” in the land use component of the plan. The requested “L” base zoning district is not consistent with the adopted land use designation. The applicant submitted a Plan Amendment for “Agribusiness Tier”. However, the applicant has withdrawn their request because they are agreeable to staff recommendation for “C-2 CD”. The base of “C-2” Commercial is consistent with the current “Suburban Tier” land use. Therefore, a Plan Amendment is not needed.

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

Staff has found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request to “L” Light Industrial. Allowing more industrial zoning to seep into the neighborhood is not consistent with the land use or the adjacent “R-20” zoning designation.

**3. Suitability as Presently Zoned:**

The existing “R-20” base zoning district is appropriate for the surrounding area. There are single-family residential uses in the vicinity is an appropriate use for the subject property.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. The propose “L” Light Industrial District creates further encroachment of an industrial uses into a residential area. The applicant is changing their request to “C-2 CD” Commercial District with a Conditional Use for a Construction Contractor Facility. With conditions applied to the amended request of “C-2 CD,” likely adverse effects can be mitigated with Conditions. Conditions may include providing a landscape buffer yard along the property lines abutting residential single-family, no outdoor storage, and no temporary signage.

**5. Public Policy:**

The amended request that the applicant is proceeding with, the base of “C-2” Commercial District does not appear to conflict with public policy objectives of the North Sector Plan. The applicant’s amended request is consistent with the “Suburban Tier” land use designation.

**6. Size of Tract:**

The 0.853 acre site is of sufficient size to accommodate the proposed development. The applicant is proposing to utilize the current structure and expand behind the home to incorporate office and indoor storage space.

**7. Other Factors:**

The applicant is requesting the change in zoning in order to transform a single-family residence into a masonry contracting business.

The applicant is requesting to amend their request to “C-2 CD” Commercial District with a Conditional Use for a Construction Contractor Facility.

The Conditional Use zoning procedure is designed to provide for a land use that is not permitted by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions.

The following conditions are recommended for the amended request to “C-2 CD”:

1. A “Type C” buffer yard of fifteen (15) feet be placed along the property lines abutting residential districts and uses.
2. No temporary signage.
3. No outdoor storage.