



# City of San Antonio

## Agenda Memorandum

**File Number:**18-5489

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**Agenda Item Number:** Z-19.

**Agenda Date:** 10/18/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8, 9, and 10

**SUBJECT:**

Zoning Case Z2018299

**SUMMARY:**

**Current Zoning:** Multiple Zoning Districts

**Requested Zoning:** Applying "MLOD-1" Camp Bullis Military Lighting Overlay District with the applicable "MLR-1" Military Lighting Region of 0-3 miles for properties within 0-3 miles of the Camp Bullis and "MLR-2" Military Lighting Region of 3-5 miles for properties within 3-5 miles of the Camp Bullis as a zoning overlay district to the current base Zoning Districts.

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 18, 2018

**Case Manager:** John Osten, Sr. Planner

**Property Owner:** Multiple

**Applicant:** City of San Antonio

**Representative:** Development Services Department of City of San Antonio

**Location:** Properties within 5 miles of Camp Bullis

**Legal Description:** Multiple

**Total Acreage:** Approximately 20,547

**Notices Mailed**

**Owners of Property within the MLOD-1 area:** 47,758

**Owners of Property within 200 feet:** 1,057

**Registered Neighborhood Associations within the MLOD-1 area:** Arboretum Neighborhood Association, Blanco Bluffs Property Owners Association, Inc., Blue Ridge Estates, Bluffs at Lookout Canyon Home Owners Association, Cadillac Drive Neighborhood Association Inc., Cambridge Home Owners Association, Cantera Village Home Owners Association, Canyon Creek Estates, Canyon Parke Home Owners Association Inc., Canyon View Association, Castle Wood Forest Home Owners Association, Cedar Point Owners Association, Churchill Estates Homes Association, Churchill Forest Home Owners Association, Crescent Sonterra Property Owners Association, Cresta Bella Home Owners Association, Deerfield Home Owners Association, Eagles Bluff Home Owners Association, Edgewater Home Owners Association, Encino Ranch Home Owners Association, Encino Rio Home Owners Association, Forest Crest Association Inc., Friends of Friedrich Wilderness Park, Gardens at Brook Hollow Home Owners Association, Hills and Dales, HSE Home Owners Association, Hunter's Brook, Hunters Chase Home Owners Association, Hunter's Creek, Hunter's Creek North, Huntington Place, Inwood Hollow Homeowners, Iron Mountain Ranch Home Owners Association, Lorence Creek Preservation Association, Lot Owners Association for Sundance Ranch, Mesa Grande Home Owners Association, North Castle Hills Home Owners Association, North Central Thousand Oaks Home Owners Association, Oak Meadow Home Owners Association Inc., Oakland Heights Home Owners Association, Oakmont Downs Home Owners Association, Oakwood Owners Association, Orsinger Lane Home Owners Association, Park Forest Neighborhood Association, Presidio Home Owners Association Inc., Redland Estates Home Owners Association, Redland Ridge Association, Remington Heights Home Owners Association, Ridgehaven Volunteer Home Owners Association, Shavano Forest Owners Association, Shavano Park Villas Condominium Association, Shavano Rogers Ranch Crosstimber Home Owners Association, Shavano Rogers Ranch Falling Brook Home Owners Association, Springs at Stone Oak Home Owners Association, Stone Oak Communities of Mutual Amenities, Stone Oak Parke Home Owners Association, Tanglewood Residents Association, The Bridges Condominium Owners Association, The Heights at Stone Oak II Owners Association, The Oaks of Vista Del Norte Subdivision Home Owners Association, The Overlook Home Owners Association, The Summit Mutual Amenities Association, The Village at Inwood Home Owners Association, The Woodlands of Camino Real Home Owners Association, The Woods of Shavano Community Association, Vance Jackson Neighborhood Inc., Walden Meadows Home Owners Association, Walker Ranch Home Owners Association, Woodland Park Home Owners Association, Woods of Encino Park Home Owners Association.

**Applicable Agencies:** Camp Bullis, CPS, and TXDoT

### **Property Details**

**Property History:** Subject area is developed with various uses. Annexation of the subject area stretches between September 24, 1964 and December 31, 2005.

**Topography:** Subject area is mostly flat with intermittent hills.

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

**Direction:** There are multiple properties with various Zoning Districts on all sites.

**Overlay and Special District Information:** "GC-1" Hill Country Gateway Corridor Overlay District, "MSAO" Military Sound Attenuation Overlay District, Camp Bullis "MNA" Military Notification Area, "AHOD" Airport Hazard Overlay District. All overlays remain unchanged.

### **Transportation**

There are multiple highways and arterial roads in the subject area.

**Public Transit:** Proposed Overlay District has no impact on transit.

**Traffic Impact:** Proposed Overlay District has no impact on traffic.

**Parking Information:** Proposed Overlay District has no impact on parking.

**ISSUE:**

The City of San Antonio is proposing to rezone approximately 52,000 properties that are located within five miles of Camp Bullis. The MLOD Ordinance has been in place for the subject area for the last 10 years to curb excessive light pollution that is interfering with nighttime military exercises. City of San Antonio updated the MLOD Ordinance in February 2018. The updated MLOD has two geographic areas: MLR1 - 3 miles or less from the base (most restricted lighting); MLR2 - greater than 3 miles and up to and including 5 miles from the base (less restricted lighting). The proposed MLOD-1, Camp Bullis Military Lighting Overlay District, which is an overlay district located within City Council Districts 8, 9 and 10, and serves to provide exterior lighting regulations that would generally require downward, directional lighting and controls on the intensity of said lighting.

The City Council adopted the SA Tomorrow Sustainability Plan which included a charge to study and consider updates to the existing Dark Sky Policy and directed staff to begin the plan on August 11, 2016. Authority to update and implement the overlay district was recommended for approval by the Planning Commission on January 10, 2018, by the Zoning Commission on February 6, 2018 and adopted by City Council on February 6, 2018.

Specific purposes of this lighting district are as follows:

- To reduce glare and potential distractions to night time training exercises occurring within this area.
- To minimize adverse offsite impacts of lighting such as light trespass, and obstructive light.
- To permit the use of outdoor lighting that does not exceed the minimum level as guided by Illuminating Engineering Society (IES) recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.
- To balance the needs of the military, the City of San Antonio, and property owners regarding responsible development including outdoor lighting within this area.

Existing lighting fixtures that are in-place legally (appropriate permits obtained) would be considered legally non-conforming (grandfathered) and no action would be required by the property owner. However, upon such time that the fixture requires replacement, the permitting process would require that the replacement fixture be compliant with the overlay district.

Development Services Department Staff conducted two informational meetings to inform property owners, neighborhood associations, community organizations and stakeholders of the proposed zoning change at the following locations: 1) Holy Trinity Catholic Church on August 20<sup>th</sup> and 2) Clark High School on 28<sup>th</sup>. Additionally, Staff coordinated with military officials on the rezoning process.

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

None.

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

The subject area includes University of Texas San Antonio and Stone Oak Regional Centers.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (9-0) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

Proposed zoning overlay district does not require land use consistency since it is not changing the base zoning districts of the subject properties.

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

Staff has found no evidence of likely adverse impact on surrounding properties.

**3. Suitability as Presently Zoned:**

Proposed zoning overlay district is consistent with the City's SA Tomorrow Sustainability Plan. The proposed rezoning will add "MLR-1" Military Lighting Region of 0-3 miles of the Camp Bullis, and "MLR-2" Military Lighting Region of 3-5 miles of the Camp Bullis MLOD.

**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 zoning overlay district are directed by the City Ordinance 2018-02-08-0079 and supported by SA Tomorrow Sustainability Plan.

**6. Size of Tract:**

Approximately 20,547 acres.

**7. Other Factors:**

The subject properties are located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request.