



# City of San Antonio

## Agenda Memorandum

**File Number:**18-6024

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**Agenda Item Number:** 22.

**Agenda Date:** 11/6/2018

**In Control:** Zoning Commission

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 8

**SUBJECT:**

Zoning Case Z2018348 CD

(Associated Plan Amendment 18103)

**SUMMARY:**

**Current Zoning:** "RE MLOD-1 MSAO-1" Residential Estate Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation Overlay District

**Requested Zoning:** "C-2 CD MLOD-1 MSAO-1" Commercial Camp Bullis Military Lighting Overlay Camp Bullis Military Sound Attenuation District with Conditional Use for Office Warehouse (Flex Space) - Outside Storage Not Permitted

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** November 6, 2018

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** 1604 UT Properties LLC

**Applicant:** David Vesica

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

**Location:** Generally located southeast of the Kyle Seale Parkway and Babcock Road intersection

**Legal Description:** 5.874 acres out of CB 4718

**Total Acreage:** 5.874

**Notices Mailed**

**Owners of Property within 200 feet:** 8  
**Registered Neighborhood Associations within 200 feet:** None  
**Applicable Agencies:** Camp Bullis AFB

### **Property Details**

**Property History:** The subject property was rezoned from “OCL” Outside City Limits to “RE” Residential Estate District by Ordinance 2017-08-31-0624, dated August 31, 2017.

**Topography:** A portion of subject property is located within the 100-year flood plain.

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

**Direction:** North

**Current Base Zoning:** “MF-33”

**Current Land Uses:** Apartment Complex

**Direction:** East

**Current Base Zoning:** “RE”

**Current Land Uses:** Vacant

**Direction:** South

**Current Base Zoning:** “OCL”

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

**Direction:** West

**Current Base Zoning:** “DR”

**Current Land Uses:** Cedar Creek Park

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

**"MLOD-1"**

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.

**"MSAO-1"**

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:** Babcock Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property. Routes served: NA

**Thoroughfare:** Kyle Seale Parkway

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are not within walking distance of the subject property. Routes served: NA

**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:**

The minimum parking requirement for an office warehouse (flex space) is 1 space per 2,000 sf GFA

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of “RE”. The rural estate (RE) district is the designation for a low-density residential use on a lot that is a minimum of one (1) acre.

**FISCAL IMPACT:**

None.

**Proximity to Regional Center/Premium Transit Corridor**

The subject property is not located within a Regional Center or Half a Mile of a Premium Transit Corridor

**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 subject property is located within the North Sector Plan and is currently designated as “Rural Estate Tier” in the future land use component of the plan. The requested “C-2” base zoning is not compatible with the future land use designation. The applicant is requesting a Plan Amendment from “Rural Estate Tier” to “General Urban Tier” to accommodate the proposed rezoning. Staff and Planning Commission recommend Approval of the Plan Amendment.

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

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**3. Suitability as Presently Zoned:**

The current “RE” Residential Estate District is not an appropriate zoning for the property and surrounding area. The subject property is located within the intersection of two secondary arterial roads, which commercial uses would suit better.

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

Staff has not found indication of likely adverse effects on the public health, safety, or welfare.

**5. Public Policy:**

The proposed rezoning does not appear to conflict with the following goals, principles, and objectives of the North Sector Plan.

North Sector Plan Relevant Goals and Objectives:

- Goal LU-1 Compatible land use pattern promoted so that natural resources are preserved and the local economy remains viable
  - LU-1.1 Locate buffers between high density/intensity land uses that are potentially incompatible.

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

The subject property is 5.874 acres, which would adequately support the development of an office warehouse.

#### **7. Other Factors:**

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 subject property is 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.