



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5398

**Type:** Zoning Case

**In control:** Zoning Commission

**On agenda:** 10/2/2018

**Title:** ZONING CASE # Z2018321 CD (Council District 3): A request for a change in zoning from "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Oversized Vehicle Storage on Lot 11, NCB 8587, located at 533 Rayburn Drive. Staff recommends Denial. (Associated Plan Amendment 18091)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Site Plan

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 3

**SUBJECT:**

Zoning Case Z2018321 CD  
(Associated Plan Amendment 18091)

**SUMMARY:**

**Current Zoning:** "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**Requested Zoning:** "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Oversized Vehicle Storage

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 2, 2018

**Case Manager:** Daniel Hazlett, Planner

**Property Owner:** Sergio Talavera Hernandez

**Applicant:** Sergio Talavera Hernandez

**Representative:** Miguel Angel Payran Hernandez

**Location:** 533 Rayburn Drive

**Legal Description:** Lot 11, NCB 8587

**Total Acreage:** 0.2716

**Notices Mailed**

**Owners of Property within 200 feet:** 23

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

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The property was annexed into the City of San Antonio and zoned Temporary "R-1" Single-Family Residence District by Ordinance 1446, dated September 23, 1944. The property converted from Temporary "R-1" to the current "R-6" Residential Single-Family District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a flood plain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "R-6"

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

**Direction:** East

**Current Base Zoning:** "R-6"

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

**Direction:** South

**Current Base Zoning:** "R-6"

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

**Direction:** West

**Current Base Zoning:** "R-6"

**Current Land Uses:** Rayburn Elementary

**Overlay and Special District Information:**

"AHOD"

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.

"MLOD-2 MLR-2"

All surrounding properties carry the "MLOD-2 MLR-2" Lackland Military Lighting Overlay Military Lighting Region 2 District, due to their proximity to Lackland Air Force Base. The "MLOD-2 MLR-2" 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:** Rayburn Drive

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Thoroughfare:** Altura Avenue

**Existing Character:** Local Street

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes 550 and 551 are within walking distance of the 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:**

The minimum parking required for vehicle storage is 1 parking space per 500 sf GFA including service bays, wash tunnels and retail areas.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designations of “R-6” which permits single-family dwellings (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

**FISCAL IMPACT:**

None.

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

The property is not located within a Regional Center. The property is located within a ½ of a mile of the Looper Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends Denial.

**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 South Central San Antonio Community Plan and is currently designated as “Low Density Residential” in the future land use component of the plan. The requested “C-2” base zoning district is not consistent with the future land use designation. The applicant is requesting a land use amendment from “Low Density Residential” to “Community Commercial” to accommodate the proposed rezoning. Staff and Planning Commission recommend Denial.

## 2. Adverse Impacts on Neighboring Lands:

Staff finds evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The area is predominately single-family residential. The introduction of commercial base zoning could adversely impact the neighborhood. The proposed use is for an Oversized Vehicle Storage which is an industrial use.

## 3. Suitability as Presently Zoned:

The current "R-6" base zoning is an appropriate base zoning for the property. The area is predominately single-family residential and a public school.

## 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 property is located within the South Central San Antonio Community Plan. The proposed rezoning is not consistent with the goals and objectives of the plan. The plan highlights the protection of established neighborhoods. The requested "C-2 CD" will permit the storage of Oversized Vehicles (Food Trucks) as well as other commercial uses. Commercial uses are prevalent along Southwest Military Drive to the south, however the introduction of commercial zoning within a predominately single-family residential neighborhood could negatively impact the residents and the community as a whole.

Relevant Goals and Objectives of the South Central San Antonio Community Plan:

Goal: Maintain and build on the old-fashioned neighborhood character of South Central San Antonio.

Goal: Support and enhance the area's community facilities to improve quality of life.

Objective 2: Community Identity: Build on the strength of good neighbors and increase participation to make community improvements happen.

Objective 3: Community Appearance: Enhance the overall community appearance.

The site currently has a single-family residence on it. The applicant requests the plan amendment and zoning change to park food trucks.

## 6. Size of Tract:

The subject property is 0.2716 of an acre, can currently accommodate the two food trucks which are already parked on the property.

## 7. Other Factors:

The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request.

The JBSA does not object to the request. There are additional comments for consideration in planning and development.

- a. Developer must comply with Military Lighting Ordinance
- b. Recommend the owner add a fence screen due to the proximity to a school and residents.
- c. Any construction plans, equipment (cranes), or towers (communication or water) may require an FAA aeronautical survey

- d. In order to mitigate potential interference with existing JBSA operational systems, please coordinate with 502 CS Spectrum Manager prior to use of any Spectrum dependent systems (i.e.: two-way radio communications, or any type of wireless technologies) during construction. If applicable, coordination is also requested by facility user prior to installation/use of any Spectrum dependent commercial or manufacturing equipment.

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 case is a result of a code violation for storing Two (2) food trucks on a residentially zoned property.