



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-6017

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 11/15/2018

**Title:** ZONING CASE # Z2018262 (Council District 4): Ordinance amending the Zoning District Boundary from "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-3 S MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Specific Use Authorization for a Wireless Telecommunications System to "MHP MLOD-2 MLR-1 AHOD" Manufactured Housing Park Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on 13.530 acres out of NCB 11212, located at 9040, 9042, 9048 Somerset Road. Staff and Zoning Commission recommend Denial. (Associated Plan Amendment 18082)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. MHP Site Plan, 3. Zoning Minutes, 4. Draft Ordinance, 5. Field Notes

Date	Ver.	Action By	Action	Result
11/15/2018	1	City Council A Session		

**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2018262  
(Associated Plan Amendment 18082)

**SUMMARY:**

**Current Zoning:** "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District, and "C-3 S MLOD-2 MLR-1 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Specific Use Authorization for a Wireless Telecommunications System.

**Requested Zoning:** "MHP MLOD-2 MLR-1 AHOD" Manufactured Housing Park Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** October 2, 2018. This case is continued from the September 18, 2018 hearing.

**Case Manager:** Marco Hinojosa, Planner

**Property Owner:** Ford Brinkman Family Trust, Barbara J. Ford Trustee and Karen T. Brinkmeyer Trustee

**Applicant:** Ford Brinkman Family Trust, Barbara J. Ford Trustee and Karen T. Brinkmeyer Trustee

**Representative:** James E. Glasgow

**Location:** 9040, 9042, 9048 Somerset Road

**Legal Description:** 13.530 acres out of NCB 11212

**Total Acreage:** 13.530

### Notices Mailed

**Owners of Property within 200 feet:** 7

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

**Applicable Agencies:** Lackland Airforce Base; Planning Department; Texas Department of Transportation

### Property Details

**Property History:** The subject property was zoned “B” Residence District upon annexation by Ordinance 18115, dated September 25, 1952. A portion of the property was rezoned from “B” Residence District, “B-3” Business District and “I-1” Light Industry District to “I-1” Light Industry District military Airport Overlay Zone-2 by Ordinance 64961, dated April 30, 1987. The property was further rezoned from “B” Residence District to “B-3” CC Business District with special City Council approval for a communication transmission tower. The property converted from “B” Residence District, “I-1” Light Industry District, and “B-3” CC Business District to the current “R-4” Single-Family Residential District, “I-1” General Industrial District, and “C-3 S” General Commercial District with the adoption of the 2001 Unified Development Code (UDC), established by Ordinance 93881, on May 3, 2001.

**Topography:** The subject property is not located within the 100-year flood plain.

### Adjacent Base Zoning and Land Uses

**Direction:** North

**Current Base Zoning:** “R-4” and “I-1”

**Current Land Uses:** Vacant Lots

**Direction:** East

**Current Base Zoning:** “I-1”

**Current Land Uses:** Vacant Lots

**Direction:** South

**Current Base Zoning:** “R-4”

**Current Land Uses:** Duplexes

**Direction:** West

**Current Base Zoning:** “R-4”

**Current Land Uses:** Townhomes and Vacant Lot

**Overlay and Special District Information:**

"MLOD-2"

All surrounding properties carry the "MLOD-2" Military Lighting Overlay District, due to their proximity to Lackland. The "MLOD-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.

"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.

**Transportation**

**Thoroughfare:** Somerset Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 524

**Thoroughfare:** IH-35

**Existing Character:** Freeway

**Proposed Changes:** None Known

**Public Transit:** VIA bus routes are within walking distance of the subject property.

**Routes Served:** 524

**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 number of parking spaces for a manufactured home development is 1 space per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation of "R-4", "C-3 S", and "I-1". "R-4" allows for single-family dwelling (detached) with a minimum lot size of 4,000 square feet and a minimum lot width of 35 feet, foster family home, public and private schools. "C-3 S" allows for bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. The specific use authorization for the "C-3" permits a communication transmission tower. "I-1" permits auto & light truck auction, truck stop, abrasives manufacturing, food & drug manufacturing, sand & gravel storage & sales, outdoor flea market, manufactured homes/oversized vehicles sales, service and storage.

**FISCAL IMPACT:**

None.

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

The property is not located within a Regional Center or a Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (10-1) recommend 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 West/Southwest Sector Plan and is currently designated as “Agribusiness Tier” in the future land use component of the plan. The requested “MHP” base zoning is not compatible with the future land use designation. The applicant is requesting a Plan Amendment from “Agribusiness Tier” to “Suburban Tier” to accommodate the proposed rezoning. Staff recommends Denial of the Plan Amendment. The applicant requested a continuance from the Planning Commission. The Planning Commission recommendation is pending the October 24, 2018 hearing.

**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:**

Although there is existing residential and manufactured homes in the area the current “R-4” Residential Single-Family is less suitable to the area than the existing “C-3” General Commercial District and “I-1” General Industrial District. Additional residential in the area requires careful consideration due to the proximity of the Military Accident Potential Zone (APZ) and the higher decibel levels of 65-70.

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

Staff has found indication of likely adverse effects on the public health, safety, or welfare. The subject property is in close proximity to the “MAOZ” Military Airport Overlay Zone, which was implemented in order to prevent the impairment of military operations. The land areas that are below military airport take off and final approach paths are exposed to significant danger of aircraft accidents. It is, therefore, necessary to limit the density of development and intensity of uses in such areas.

Noise from military aircraft operations can affect quality of life within these areas. Decibel levels between 65-70 decibels can be likened to heavy machinery or alarms and are categorized as “irritating” noises. Thus, serious consideration should be given to the proposed senior manufactured park development in terms of compatibility and appropriateness for the noted property.

**5. Public Policy:**

The proposed rezoning does appear to conflict with the following goals, principles, and objectives of the West/Southwest Sector Plan.

West/Southwest Sector Plan Relevant Goals and Objectives:

- Goal MC-1 The mission of Lackland Air Force Base is supported and promoted
  - MC-1.2 Develop a future land use pattern that minimizes incompatible issues around Lackland AFB and Annex
- Goal MC-3 Neighborhoods around Lackland Air Force Base are safe and not unreasonably impacted by military related activities

**6. Size of Tract:**

The subject property is 13.530 acres, which would adequately support a manufactured home park development.

**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 military objects to the request due to the proximity of the property to the accident potential zone (APZ-II) and the decibels levels in the area of 65-70 decibels.