



City of San Antonio

Legislation Details (With Text)

File #: 15-2638
Type: Zoning Case
In control: City Council A Session
On agenda: 5/7/2015
Title: ZONING CASE # Z2014213 (District 4): An Ordinance changing the Zoning District Boundary from "NP-8 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District (on 1.956 acres) and "MF-18 AHOD" Limited Density Multi-Family Airport Hazard Overlay District (on 3.727 acres), 5.683 acres of land out of NCB 15261 located on a portion of the 7200 Block of Five Palms Drive. Staff recommends Approval. Zoning Commission recommends Denial. (Associated Plan Amendment 14053)
Sponsors:
Indexes:
Code sections:
Attachments: 1. Z2014-213_Location Map, 2. Z2014213_Zoning Minutes, 3. DRAFT ORDINANCE

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: 4

SUBJECT:

Zoning Case Z2014213
(Associated Plan Amendment 14053)

SUMMARY:

Current Zoning: "NP-8 AHOD" Neighborhood Preservation Airport Hazard Overlay District

Requested Zoning: "C-1 AHOD" Light Commercial Airport Hazard Overlay District (on 1.956 acres) and "MF-18 AHOD" Limited Density Multi-Family Airport Hazard Overlay District (on 3.727 acres)

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 16, 2014 (This is the fourth public hearing for this zoning case. The rezoning request was continued from the August 19, 2014; the September 2, 2014 and the October 21, 2014 Zoning Commission public hearing.)

Case Manager: Ernest Brown, Planner

Property Owner: Home Living Hospitality, Ltd. (by Gene A Liguori, Jr., Manager, Two B.T. LLC, General Partner)

Applicant: KLove Engineering, LLC (Jose M. Cantu, PE)

Representative: KLove Engineering, LLC (Jose M. Cantu, PE)

Location: A portion of the 7200 Block of Five Palms Drive

Legal Description: 5.683 acres out of Parcel 37, NCB 15261

Total Acreage: 5.683

Notices Mailed

Owners of Property within 200 feet: 43

Registered Neighborhood Associations within 200 feet: People Active in Community Effort (P.A.C.E)

Planning Team: United Southwest Communities Plan -29

Applicable Agencies: Lackland Air Force Base

Property Details

Property History: The subject property was annexed in 1972 and was originally zoned "Temp R-1" Temporary Single Family Residence District. In a 2001 case, the property was rezoned to "R-1A" Single-Family Residence District. Upon adoption of the 2001 Unified Development Code, the previous base zoning districts converted to the current "NP-8" Neighborhood Preservation District. The property is currently not platted and is undeveloped.

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

Adjacent Base Zoning and Land Uses

Direction: North and East

Current Base Zoning: "NP-8"

Current Land Uses: Single-Family Residences

Direction: West

Current Base Zoning: "MF-33" and "R-6"

Current Land Uses: Vacant

Direction: South

Current Base Zoning: "NP-8" and "R-6"

Current Land Uses: School, Single-Family Residences and Vacant

Overlay and Special District Information: 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: Five Palms Drive

Existing Character: Collector; one lane in each direction with sidewalks and a bicycle lane

Proposed Changes: None known

Thoroughfare: Fawn Valley and Elm Valley

Existing Character: Local streets; one lane in each direction with partial sidewalks

Proposed Changes: None known

Public Transit: VIA bus lines 614 and 619 operate along Five Palms Drive, with multiple stops adjacent to the subject property.

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: The on-site vehicle parking requirements for multi-family uses are determined by the number of dwelling units. Off-street vehicle parking requirements for commercial uses are typically determined by building size and use (application did not specify the use).

Multi-Family Dwellings

Minimum requirement: 1.5 spaces per unit

Maximum allowance: 2 space per unit

ISSUE:

None.

ALTERNATIVES:

Denial of the zoning request will result in the subject property retaining the Neighborhood Preservation zoning; the subject property would remain undeveloped until it is developed into residential lots meeting all development standards for the "NP-10" zoning district.

FISCAL IMPACT:

None.

Staff Analysis and Recommendation: Staff recommends Approval, pending Plan Amendment. The Zoning Commission (8-0) recommends Denial.

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

1. Consistency:

The property is located within the United Southwest Communities Plan and is currently designated as Low Density Residential in the future land use component of the plan. The requested "C-1" and "MF-18" base zoning districts are not consistent with the adopted land use designation. A plan amendment has been submitted, requesting to change the future land use designation to Mixed Use. The Mixed Use designation is meant to accommodate a blend of residential, retail, professional service, office, entertainment etc. Staff and Planning Commission recommend approval of the plan amendment request.

2. Adverse Impacts on Neighboring Lands:

Staff finds no likely adverse impacts on neighboring property related to the rezoning request. The subject property is located at a four way stop along a collector street which should reasonably accommodate additional traffic that may be generated by the requested commercial and multi-family zoning districts.

3. Suitability as Presently Zoned:

The current zoning district is not appropriate for the subject property. The subject property is located on the

periphery of an established single-family residential neighborhood along a collector street which generally accommodates commercial uses. The proposed multi-family zoning district will act as a buffer between future commercial development and the existing residential neighborhood.

4. Health, Safety and Welfare:

Staff has found no indication of likely adverse impacts on the public health, safety or welfare in relation to this zoning change request.

5. Public Policy:

The request does not appear to conflict with any public policy objective.

6. Size of Tract:

The subject property is 5.683 acres in size, which should be able to reasonably accommodate the uses permitted in both the “C-1” and “MF-18” zoning districts, along with required parking and landscaping.

7. Other Factors:

The subject property is located within the Lackland Military Influence Area requiring notification of the zoning request be sent to the United States Air Force. Comments issued by the Joint Base San Antonio indicate no opposition to the zoning change request and proposed project.

The subject property is located within 300 feet of a public school. Alcohol sales will be prohibited on the subject property unless a variance from the distance requirements of City Code Section 4-6 is approved by the City Council.