



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5475

**Type:** Zoning Case

**In control:** Zoning Commission

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

**Title:** ZONING CASE # Z2018315 (Council District 4): A request for a change in zoning from "R-4 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot 14, Block A, NCB 11269, located at 7457 Somerset Road. Staff recommends Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map

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

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** 4

**SUBJECT:**

Zoning Case Z2018315

**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

**Requested Zoning:** "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

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

**Case Manager:** Kayla Leal, Planner

**Property Owner:** Maria de Jesus Martinez

**Applicant:** Edgar Martinez

**Representative:** Edgar Martinez

**Location:** 7457 Somerset Road

**Legal Description:** Lot 14, Block A, NCB 11269

**Total Acreage:** 0.2262

**Notices Mailed**

**Owners of Property within 200 feet:** 24

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

**Applicable Agencies:** Lackland Air Force Base

**Property Details**

**Property History:** The subject property was annexed into the City of San Antonio on September 25, 1952, established by Ordinance 18115. It was zoned "B" Residence District and changed to "R-2" Two-Family Residence District on January 26, 2001, established by Ordinance 93308. The current "RM-4" Residential Mixed District converted from the previous "R-2" upon adoption of the 2001 Unified Development Code on May 3, 2001, established by Ordinance 93881.

**Topography:** The subject property is located within the Leon Creek Watershed.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** I-1

**Current Land Uses:** Salvage Yard

**Direction:** East

**Current Base Zoning:** RM-4

**Current Land Uses:** Vacant Lots, Single-Family Residence, Parking Lot

**Direction:** South

**Current Base Zoning:** C-2

**Current Land Uses:** Vacant Lot

**Direction:** West

**Current Base Zoning:** C-2, RM-4

**Current Land Uses:** Vacant Lot, Single-Family Residential

**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"

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

**Transportation**

**Thoroughfare:** Somerset Road

**Existing Character:** Secondary Arterial Type A

**Proposed Changes:** None known

**Public Transit:** There are bus stops within walking distance on Somerset Road along Bus Route 524.

**Traffic Impact:** A Traffic Impact Analysis is not required. The traffic generated by the proposed development may not exceed threshold requirements.

**Parking Information:** Commercial uses require a variety of parking spaces, dependent upon the type of use. The requirements can be found per Table 526-3b in Section 35-526 in the Unified Development Code. The proposed use of a Restaurant requires a minimum of one (1) parking space per 100 square-feet of the Gross Floor Area (GFA) and permits up to one (1) parking space per 40 square-feet of the GFA.

**ISSUE:**

None.

**ALTERNATIVES:**

Denial of the requested zoning change would result in the subject property retaining the present zoning district designation. The “R-4” base zoning district permits single-family dwellings (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.

**FISCAL IMPACT:**

None.

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

The subject property is not located within a Regional Center. The subject property is located within a half-mile of the General McMullen-Babcock Road Premium Transit Corridor.

**RECOMMENDATION:**

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

**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 Southwest Land Use Plan and is currently designated as “Suburban Tier” in the land use component of the plan. The requested “C-2” base zoning district is consistent with the adopted land use designation.

**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. The proposed use is consistent with the established development pattern of the surrounding area.

**3. Suitability as Presently Zoned:**

The existing “R-4” base zoning district is not appropriate for the surrounding area. The subject property is located fronting Somerset Road and is between an industrially zoned lot and a commercially zoned lot. A residentially zoned lot is not appropriate to be placed in between commercial and industrial properties.

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

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

**5. Public Policy:**

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

**6. Size of Tract:**

The 0.2262 acre site is of sufficient size to accommodate the proposed development of a restaurant.

**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.